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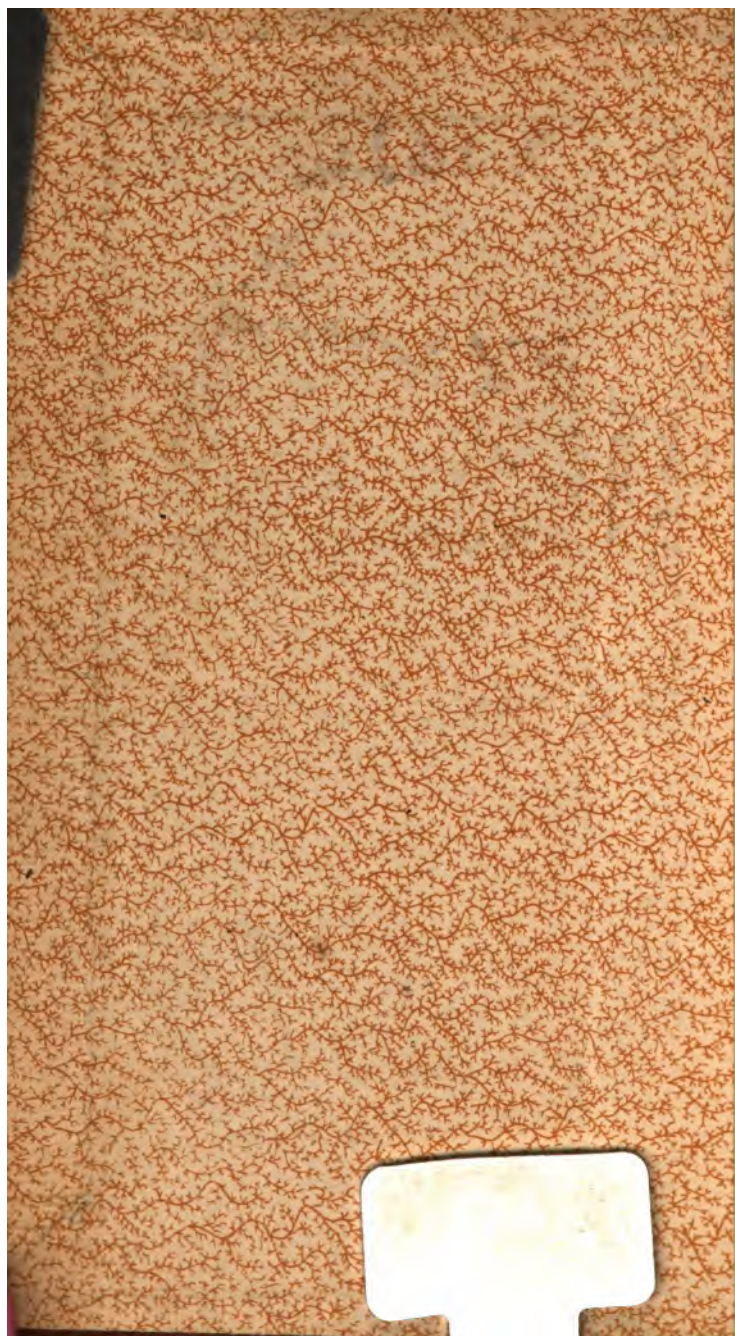
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THOMAS JEFFERSON.

THE
LIFE
OF
THOMAS JEFFERSON,
AUTHOR OF THE
DECLARATION OF INDEPENDENCE,

AND
THIRD PRESIDENT OF THE UNITED STATES.

" Let laurels, drench'd in pure Parnassian dews,
" Reward his mem'ry, dear to every muse,
" Who, with a courage of unshaken root,
" In honour's field advancing his firm foot,
" Plants it upon the line that Justice draws,
" And will prevail, or perish in her cause."

BY WILLIAM LINN.

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TO

SIMEON DE WITT, ESQ.

SURVEYOR GENERAL OF THE STATE OF NEW YORK.

This volume is inscribed.

as a testimonial of the gratitude and respect of the Compiler;
accompanied by the wish, that his age may be as composed and
happy as his past life has been arduous, honourable, and useful.

ADVERTISEMENT.

THIS work is a compilation exclusively; and the only merit it can possibly claim, is in the collection and arrangement of the materials, and in the authenticity and correctness of its authorities. And where facts and truths alone are sought, this acknowledgment cannot diminish the value of the production, or detract from its usefulness. Farther than what the writers quoted afford, neither the splendour of fancy, nor the fascination of language, is to be expected from it; its aim has been a plain, unvarnished statement of the prominent incidents in the life of its illustrious subject; and if that is attained, the intention of the publishers is answered. The selections for this purpose have been made from various authors; and the memoirs of Mr. Jefferson, composed by himself, and prefixed to the volumes of his correspondence, has been the text-book by which difficulties and discrepancies have been obviated or reconciled. These memoirs, however, comprise but little of his lengthened and eventful life, and his letters have enabled me, in some measure, to supply the deficiency. Neither have I hesitated, in many instances, to employ the very words of my authorities; conscious that any attempted amendment on my part, would not only be futile, but, by misapplication of a phrase, might perplex the meaning. On this account, a variety of style will be perceptible, but not having a tendency, it is imagined, to throw confusion in the facts related, or shroud expression in obscurity. To the "American Biography," more than any other, I have been indebted for date and incident.

To present to the publick a candid and impartial history of the life of THOMAS JEFFERSON, has been the anxious desire of the compiler, though, in other respects, his ability may have failed in the performance. This he hopes he has done; and he has given in a portable and economical form, what was before contained in, or appended to, books voluminous in bulk and extravagant in price.

W. L.

LIFE

OF

THOMAS JEFFERSON.

CHAPTER I

- THE LIFE of THOMAS JEFFERSON, author of the Declaration of Independence, President of the United States, and one of the most prominent actors in the stirring scenes of the revolution, cannot, we presume, be unacceptable to any American reader. The incidents of his distinguished life, his talents, the exalted stations which he filled, his intimate connexion with those illustrious men whom we delight to honour, and his association with the most important events in the revolutionary struggle, must always afford him a conspicuous place in the history of our country. Shaken, as he has been by the storms of the time, and so furiously assailed by political opponents, there was danger, while they contemplated nothing beyond the downfall of the executive, that their weapons might pass through his shield, and strike into the bosom of their country; yet now, when the fury of the day has passed over, candour will do justice to his talents, appreciate his merits, and render gratitude for his services. The

clouds are rolling off from the darkened landscape, and the excellencies of his character can now be distinguished on the horizon in all their native brightness.

It has been remarked, that certain stated times and periods have been prolifick of great men. Nature seems then to have exerted herself with a more than ordinary effort, and to have poured them forth with unusual fertility. But at no time or period did any country produce greater men, or those better qualified to conduct affairs to a successful issue, than at the commencement and during the progress of our combat for independence. The commanders were ardent and enterprising, and possessing an almost intuitive knowledge of their profession; our counsellors were firm, prudent and sagacious; and the continental Congress possessed a collective body of wisdom which the world has seldom witnessed. The people themselves, enthusiastick in the cause of liberty, deeply imbued with a detestation of tyranny, and with all their wrongs and remembrances about them, were brave and determined, unrepining in the midst of hardships, and free from cruelty and licentiousness. With such instruments, under the direction of a benignant Providence, the result was glorious, and its effects and consequences have been beneficially felt over a great part of the globe. "History," said professor Silliman in 1820, "presents no struggle for liberty which has in it more of the moral sublime than that of the American revolution. It has of late years been too much forgotten in the sharp contentions of party, and he who endeavours to withdraw the publick mind from these debasing conflicts, and to fix it on the grandeur of that epoch, which,

magnificent in itself, begins now to wear the solemn livery of antiquity as it is viewed through the deepening twilight of almost half a century, certainly performs a meritorious service, and can scarcely need a justification." But if a subject of interest when contemplated in this view—if to the philosopher it affords a profound and gratifying theory in his annals of man—how vastly more important, and what a matter of exultation, must it be to those who reflect that it was their fathers who exhibited this noble spectacle to the world, and that the rights and privileges which they enjoy are the splendid result of their exertions! Their characters must become not only the subjects of curiosity, but their names of enduring gratitude, and the events of their lives not only the theme of frequent conversation, but familiar as household terms. It is under these impressions that these memoirs are presented to the publick; the memoirs of him whose name is one of the brightest in the revolutionary galaxy.

Thomas Jefferson was descended from a family who had long been settled in Virginia, the province of his nativity. His ancestors, according to a late biographer, had emigrated there at an early period; and although bringing with them, as far as is known, no fortune beyond that zeal and enterprize which are so useful and necessary to adventurers in a new and unknown country, and no rank beyond a name which was free from dishonour, they had a standing in the community highly respectable, and lived in circumstances of considerable affluence. "The tradition in my father's family," says the subject of this sketch, in his modest and interesting memoirs, "was, that their ancestor came to

this country from Wales, and from near the mountain of Snowden, the highest in Great Britain. I noted once a case from Wales in the law reports, where a person of our name was either plaintiff or defendant, and one of the same name was secretary to the Virginia Company. These are the only instances in which I have met with the name in that country. I have found it in our early records; but the first particular information I have of any ancestor, was of my grandfather, who lived at the place in Chesterfield called Osborne's, and owned the lands afterwards the glebe of the parish. He had three sons: Thomas, who died young; Field, who settled on the waters of Roanoke, and left numerous descendants; and Peter, my father, who settled on the lands I still own, called Shadwell, adjoining my present residence. He was born February 29, 1707-8, and intermarried, 1739, with Jane Randolph, of the age of 19, daughter of Isham Randolph, one of the seven sons of that name and family, settled at Dungeness, in Goochland. They trace their pedigree far back in England and Scotland, to which let every one ascribe the faith and merit he chooses."

Thomas Jefferson was born April 2, old style, 1743, at Shadwell, in Albemarle county, Virginia, and was the eldest of eight children. His father, though his education had been entirely neglected in early life, yet, being a man of strong mind and sound judgement, he, by subsequent study, acquired no inconsiderable knowledge and information. His progress must have been not only rapid but profound, since we find him appointed in the year 1747 one of the commissioners with Joshua Fry, Professor of Mathematicks in William and

Mary College, for determining the division line between Virginia and North Carolina; an appointment no less creditable to his talents than his integrity, a confidence in the latter of which is peculiarly necessary in settling the boundaries between jealous and independent territories. After this service, he was again employed with the same gentleman to make a map of Virginia, the first which had ever been made, that of Captain Smith being indebted more to fancy and conjecture than to fact. The father of Thomas Jefferson died August 17, 1757, leaving a widow, who lived until 1776, and six daughters and two sons. To the youngest son he left his estate on James River; to the eldest, with whose life we are engaged, the lands on which he was born, and lived, and died.

Young Jefferson was placed at an English school at the age of five years; and at a Latin one at the age of nine, where he continued until the death of his father. When that event happened, he was placed under the tuition of the Reverend Mr. Maury, whom he represents as a "correct classical scholar," and with whom he remained two years; when in the spring of 1760 he entered William and Mary College, and continued there the space of two years more. At the latter place it was his great good fortune, and what he considered as fixing the destinies of his life, that Doctor William Small, of Scotland, was then Professor of Mathematics in the institution; "a man," says his pupil, "profound in most of the useful branches of science, with a happy talent of communication, of correct and gentlemanly manners, and with an enlarged and liberal mind." An attachment was soon formed between these

congenial spirits, and they became daily and inseparable companions. - From the conversations of this learned man, and true friend, Jefferson confesses that he first imbibed his views of the expansion of science, and of the system of things in which we are placed.

Doctor Small returned to Europe in 1762, having first occupied the philosophical chair at the College, and filled up the measure of goodness to his young friend by procuring for him a reception as a student at law under the direction of the celebrated George Wythe, the most distinguished man of his age, one of the signers of the Declaration of Independence, and afterwards Chancellor of the state of Virginia. With this gentleman he was also united not merely by the ties of professional connexion, but by a congeniality of feeling and similarity of views alike honourable to them both; the friendship formed in youth was cemented and strengthened by age, and when the venerable preceptor closed his life in 1806, he bequeathed his library and philosophical apparatus to a pupil and friend who had already proved himself worthy of his instruction and regard.

In 1767 he was introduced to the practice of the law at the bar of the General Court of the colony, and at which he continued until the revolution. His legal career was not only pursued with zeal, but attended with overflowing success. In the short period he devoted himself to it, he acquired an enviable reputation; and a monument of his professional labour and legal research still exists in a volume of reports of adjudged cases in the supreme courts of Virginia, compiled and digested amid the engagements of active occupation.

But his energy and talents were demanded by his fellow citizens for publick life, and his country would not permit him to remain in a private station, or attend to ordinary affairs; their hopes and desires already pointed to him, and their interests directed his aim to higher objects and more extensive usefulness. As early as the year 1769 he was elected a member of the provincial legislature from the county where he resided, and continued a member of that body until it was closed by the revolution. In consequence, he became associated with men who will always stand in bold relief among the first, the most ardent, and most determined champions of our rights.

While here, he made one strenuous but fruitless effort for the emancipation of the slaves: so early had a love of liberty and a detestation of tyranny been imprinted on his mind. His failure is ascribed to the effect of the regal government, from which nothing liberal, or that innovated on established error, could expect success. The minds of the generality were fettered and circumscribed within narrow limits by an habitual belief that it was a duty to be subordinate to the mother country in all matters of government, to direct the colonial labours in subserviance to her interests, and even to observe a bigoted intolerance for all religions but her own. "The difficulties with our representatives," he writes, "were of habit and despair, not of reflection and conviction." And thus this noble attempt was considered as the attempt of rashness, and met the fate of folly. And that which has since immortalized its authors and promoters, was first conceived by the mind and enforced by the eloquence of

Jefferson, and adds no fluttering pinion to his deathless renown.

Ever since the year 1763, a spirit of opposition to the British government had been gradually arising in the province of Virginia, and this spirit was rapidly increasing, owing to the arbitrary measures of the mother country, which seemed to be the result no less of madness than determined oppression. The attachment to England was great in all the colonies, and in Virginia it was more than usually strong; many of the principal families, according to a popular writer, were connected with it by the closest ties of consanguinity; the young men of talent were sent thither to complete their education in its colleges; and by many, and those not the least patriotick, it was fondly looked to as their *home*. To sever so intimate a connexion could not be an undertaking of ordinary facility; yet such was the rash course pursued by the British ministry, that a very brief space was sufficient to dissolve in every breast that glowed with national feeling, those ties which had been formed by blood, by time, and by policy. A very short experience and a slight converse with the political history of the world were sufficient to convince every mind that there were no hazards too great to be encountered for the establishment of institutions which would secure the country from a repetition of insults that could only end in abject slavery. It cannot be doubted that Mr. Jefferson was among the first to perceive and suggest the only course that could be adopted. The convictions of his mind, and ardour of his feelings, may, in some measure, be judged, from his recollections of the powerful efforts of the celebrated Patrick Henry.

and of which he was a witness. "When the famous resolutions of 1765 against the stamp act were proposed, I was yet a student of law in Williamsburgh. I attended the debate, however, at the door of the lobby of the House of Burgesses, and heard the splendid display of Mr. Henry's talents as a popular orator. They were great indeed; such as I never heard from any other man. He appeared to me to speak as Homer wrote." In Mr. Jefferson's opinion, Henry, one of the most eminent, but at the same time the most indolent of men, was the first who gave impetus to the ball of the revolution in the province of Virginia. Such are the effects of oratorical eloquence! Its power is almost irresistible: it penetrates, says one who seems to have been under the fascination of its influence, into the inmost recesses of the soul. It is able to excite or to calm the passions of men at will; to drive the multitude forward to acts of rashness, or to say to the contending passions, "Peace, be still." It changes the whole ~~current of our~~ ideas concerning the nature and importance ~~of~~ objects, and of our obligations and advantages respecting them. It rouses from pernicious indolence, and renders the sentiments and dispositions already formed most influential. In a word, it has made of the human species both angels and monsters; it has animated to the most noble and generous exertions, and it has impelled to deeds of horror.

It is in allusion to the events of the same period that Mr. Jefferson writes: "The colonies were taxed internally and externally; their essential interests sacrificed to individuals in Great Britain; their legislatures suspended; charters annulled; trials by juries taken

away; their persons subjected to transportation across the Atlantick, and to trial by foreign judicatories; their supplications for redress thought beneath answer; themselves published as cowards in the councils of their mother country, and courts of Europe; armed troops sent amongst them to enforce submission to these violences; and actual hostilities commenced against them. No alternative was presented but resistance or unconditional submission. Between these, there could be no hesitation. They closed in an appeal to arms."

In 1769, shortly after the election of Mr. Jefferson to the provincial legislature, these discontents arrived at their crisis. In May of that year, a meeting of the General Assembly was called by the Governour, Lord Botetourt. To that meeting was made known the joint resolutions and address of the British Lords and Commons of 1768-9, on the proceedings in Massachusetts. Counter resolutions, and an address to the King, by the House of Burgesses, were agreed to with little opposition; and a spirit manifestly displayed itself of considering the cause of Massachusetts as a common one. The Governour dissolved the General Assembly in consequence of the sympathy which was thus exhibited by a majority of its members; but they met the next day in the publick room of the Raleigh Tavern, formed themselves into a convention, drew up articles of association against the use of any merchandise from Great Britain, and signed and recommended them to the people. They then repaired to their respective counties; and were all re-elected except those few who had declined assenting to their proceedings.

On the first of January, 1772, Mr. Jefferson married

the daughter of Mr. John Wayles of Virginia, an alliance by which he at once gained an accession of strength and credit, and received, in the intervals of publick business, that domestick happiness he was so well fitted to partake and enjoy. Its duration, however, was but short; in little more than ten years, death deprived him of his wife, and left him the sole guardian of two infant daughters; to whose education he devoted himself with a constancy and zeal, which might, in some measure, compensate for the want of a mother's care and instruction. Mr. Wayles was an eminent lawyer of the province, and having by his great industry, punctuality, and practical readiness, acquired a handsome fortune, he died in May, 1773, leaving three daughters: the portion which came on that event to Mrs. Jefferson was about equal to the patrimony of her husband, and consequently doubled the ease of their circumstances.

After the dissolution of the Virginia legislature in 1769, nothing of particular excitement in the country occurred for a considerable length of time; the nation appeared to have fallen into an apathy or insensibility to their situation; although the duty on tea was not yet repealed, and the declaratory act of a right in the British parliament to bind them by their laws in all cases, was still suspended over them. But they at length aroused from their stupor. A court of inquiry held in Rhode Island in 1762, with a power to send persons to England to be tried for offences committed here, was thought to have aimed a deadly stab at the most sacred rights of the citizen, and as demanding the attention of the legislature of Virginia. The subject was taken

up and considered at the spring session of 1773. On this occasion, Mr. Jefferson associated himself with several of the boldest and most active of his companions in the house, ("not thinking," as he says himself, "the old and leading members up to the point of forwardness and zeal which the times required,") and with them formed the system of Committees of Correspondence, in a private room, in the same Raleigh Tavern. They were sensible that the most urgent of all measures was that of coming to an understanding with all the other colonies, to consider the British claims as a common cause to all, and to produce a unity of action; and for this purpose, that a committee of correspondence in each colony would be the best instrument for intercommunication, and that their first measure would probably be to propose a meeting of deputies from every colony, at some central place, who should be charged with the direction of the measures which should be taken by all. In furtherance of these views, the following resolutions were drawn up, and probably proceeded from his pen:

"Whereas the minds of his majesty's faithful subjects in this colony have been much disturbed by various rumours and reports of proceedings tending to deprive them of their ancient legal and constitutional rights:

"And whereas the affairs of this colony are frequently connected with those of Great Britain, as well as the neighbouring colonies, which renders a communication of sentiments necessary; in order therefore to remove the uneasiness and to quiet the minds of the people, as well as for the other good purposes above mentioned:

"Be it resolved, that a standing committee of corres-

pondence and inquiry be appointed, to consist of eleven persons, to wit: the Honourable Peyton Randolph, Esq. Robert C. Nicholas, Richard Bland, Richard H. Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Cary, and Thomas Jefferson, Esquires; any six of whom to be a committee, whose business it shall be to obtain the most early and authentick intelligence of all such acts and resolutions of the British parliament, or proceedings of administration, as may relate to or affect the British colonies in America; and to keep up and maintain a correspondence and communication with our sister colonies respecting those important considerations; and the result of such their proceedings, from time to time, to lay before this house.

“Resolved, that it be an instruction to the said committee, that they do, without delay, inform themselves particularly of the principles and authority on which was constituted a Court of Inquiry said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America to places beyond the seas to be tried.

“The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the house *nemine contradicente*.

“Resolved, that the Speaker of this house do transmit to the Speakers of the different Assemblies of the British colonies on this continent, copies of the said resolutions, and desire that they will lay them before their respective Assemblies, and request them to appoint some person or persons of their respective bodies

to communicate from time to time with the said committee."

The consulting members proposed to Mr. Jefferson to move these resolutions: but he urged that it should be done by Mr. Carr, his friend and brother-in-law, then a new member, and to whom he wished an opportunity should be given of making known to the house his great worth and talents. It was so agreed: he moved them, they were adopted without a dissenting voice, and a committee of correspondence appointed, of whom Peyton Randolph, the Speaker, was chairman. The Governour (then Lord Dunmore) immediately dissolved the house: but the committee met next day, prepared a circular letter to the Speakers of the other colonies, inclosing to each a copy of the resolutions, and left it in charge with their chairman to forward them by expresses.

We would step aside one moment, for the purpose of introducing Mr. Wirt's description of the mind and manners of the gentleman who first presented these resolutions to the house. "In supporting these resolutions," says he, "Mr. Carr made his *debut*, and a noble one it is said to have been. This gentleman, by profession a lawyer, had recently commenced his practice at the same bars with Patrick Henry; and although he had not yet reached the meridian of life, he was considered by far the most formidable rival in forensick eloquence that Mr. Henry had ever yet had to encounter. He had the advantage of a person at once dignified and engaging, and the manner and action of an accomplished gentleman. His education was a finished one, his mind trained to correct thinking, his conceptions

quick, and clear, and strong; he reasoned with great cogency, and had an imagination which enlightened beautifully, without interrupting or diverting the course of his argument. His voice was finely toned; his feelings acute; his style free, and rich, and various; his devotion to the cause of liberty verging on enthusiasm; and his spirit firm and undaunted, beyond the possibility of being shaken. With what delight the House of Burgesses hailed this new champion, and felicitated themselves on such an accession to their cause, it is easy to imagine. But what are the hopes and expectations of mortals? In two months from the time at which this gentleman stood before the House of Burgesses, in all the pride of health, and genius, and eloquence, he was no more! Lost to his friends and his country, and disappointed of standing in that noble triumph which awaited the illustrious band of his compatriots." We have similar testimony from a different pen. "I well remember," says an eye witness, "the pleasure expressed in the countenances and conversation of the members generally in this *debut* of Mr. Carr, and the hopes they conceived, as well from the talents as the patriotism * manifested. But he died within two months after, and in him we lost a powerful fellow labourer. His character was of a high order, a spotless integrity, sound judgement, handsome imagination, enriched by education and reading; quick and clear in his conceptions; of correct and ready elocution; impressing every hearer with the sincerity of the heart from which it flowed. His firmness was inflexible in whatever he thought right; but when no moral principle was in the way, never had man more of the milk

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of human kindness, of indulgence, of softness, of pleasantry in conversation and conduct. The number of his friends, and the warmth of their affections, were proofs of his worth, and their estimate of it." This was the first and only speech of Mr. Carr in the House of Representatives. He died the 16th of May, 1773, in the thirtieth year of his age.

This system of corresponding committees between the legislatures of the different colonies, which was thus adopted as the best instrument for communication between the respective colonies, and by which they might be brought to a mutual understanding and a unity of action, has since been asserted to have arisen in Massachusetts, and Judge Marshall, in his *Life of Washington*, has fallen into the error. But Mr. Jefferson, and no doubt correctly, asserts the contrary. He imagines the mistake to have arisen from confounding together two distinct committees: adding, "Thus in Massachusetts there were two committees of correspondence, one chosen by the people, the other appointed by the House of Assembly; in the former, Massachusetts preceded Virginia; in the latter, Virginia preceded Massachusetts. To the origination of committees for the interior correspondence between the counties and towns of a state, I know of no claim on the part of Virginia, and certainly none was ever made by myself." And the letter of Samuel A. Wells, Esquire, to Mr. Jefferson, and the answer of the latter of May 12th, 1829, show conclusively that Massachusetts did not adopt the measure, but on receipt of the proposition from Virginia, and which was delivered at their next session.

On the twelfth of March, 1773, Mr. Jefferson was chosen a member of the first committee of correspondence established by the colonial legislatures, the act already alluded to, as the most important of the revolution in preparing the way for that union of sentiment and action from whence arose the first effective resistance, and on which depended the successful progress and final triumph of the cause.

The year 1774 found Mr. Jefferson still actively engaged in his duties as a member of the legislature of Virginia. The passage by Parliament of the Boston Port Bill, by which that port was to be shut up on the first of June, 1774, was the next event which aroused the indignation and excited the sympathies of the house. It arrived while they were in session in the spring of 1774. It was at this crisis that Mr. Jefferson wrote, and the members, though not then adopting as resolutions, afterwards published his "Summary View of the Rights of British America;" and in which he maintained what was then thought by many a bold position, but which he considered as the only orthodox and tenable one: that the relation between Great Britain and the colonies was exactly the same as that of England and Scotland, after the accession of James, and until the union, and the same as her present relation with Hanover, having the same executive chief, but no other necessary political connexion; and that our emigration from England to this country gave her no more rights over us, than the emigration of the Danes and Saxons gave to the authorities of the mother country over England.

"In this doctrine, however," says he, "I had never

been able to get any one to agree with me but Mr. Wythe. He coincided in it from the first dawn of the question, What was the political relation between us and England? Our other patriots, Randolph, the Lees, Nicholas and Pendleton, stopped at the half-way house of John Dickinson, who admitted that England had a right to regulate our commerce and to lay duties on it for the purpose of regulation, but not of raising revenue. But for this ground there was no foundation in compact in any acknowledged principles of colonization, nor in reason: expatriation being a national right, and acted on as such by all nations, in all ages."

This pamphlet is addressed to the king, as the chief officer of the people, appointed indeed by the laws, but circumscribed by definitive power, to carry into effect that institution of government erected by themselves for their use and benefit, and consequently subject to their superintendence. He reminded him that our ancestors had been British freemen; that they had acquired their settlements here at their own expense and blood; that it was for themselves they fought, for themselves they conquered; and for themselves alone they had a right to hold. That they had indeed thought proper to adopt the same system of laws under which they had hitherto lived, and to unite themselves under a common sovereign; but that no act of theirs had ever given a title to that authority, which the British parliament arrogated; that the crown had unjustly commenced its encroachments, by distributing the settlements among its favourites, and the followers of its fortunes; that it then proceeded to abridge the free trade which the colonies possessed as of natural right with all

parts of the world; and that afterwards offices were established of little use but to accommodate the ministers and sycophants of the crown. That during the reign of the sovereign whom he immediately addressed, the violation of rights had increased in rapid and bold succession; being no longer single acts of tyranny, that might be ascribed to the accidental opinion of a day; but a series of oppressions pursued so unalterably through every change of ministers, as to prove too plainly a deliberate and systematical plan of reducing the colonies to slavery. He next proceeds, in a style of the boldest invective, to point out the several acts by which this plan has been enforced, and enters against them a solemn and determined protest. He then considers the conduct of the king as holding an executive authority in the colonies, and points out, without hesitation, his deviation from the line of duty; he asserts that by the unjust exercise of his negative power, he had rejected laws of the most salutary tendency; that he had defeated repeated attempts to stop the slave trade and abolish tyranny; thus preferring the immediate advantages of a few African corsairs, to the lasting interests of America, and to the rights of human nature, deeply wounded by this infamous practice. That, inattentive to the necessities of his people, he had neglected for years the laws which were sent for his inspection; and that, assuming a power, for advising the exercise of which, the English judges, in a former reign, had suffered death as traitors to their country, he had dissolved the representative assemblies, and refused to call others. That to enforce these, and other arbitrary measures, he had from time to time sent over large

bodies of armed men, not made up of the people here, nor raised by the authority of their laws. That to render these proceedings still more criminal, instead of subjecting the military to the civil powers, he had expressly made the latter subordinate to the former. That these grievances were thus laid before their sovereign, with that freedom of language and sentiment which became a free people, whom flattery would ill beseem, when asserting the rights of human nature.

In all this we perceive the germe of that national declaration, which so shortly succeeded it; many of the same bold truths, and in the same bold language.

In these sentiments, however, bold as they were, his political associates joined with him; they considered those acts of oppression directed against the colonies of New England, acts in which all were concerned, and an attack on the liberties and immunities of every other province. They accordingly resolved, that the first day of June, the day on which the Boston Port Bill was to go into operation, should be set apart by the members as a day of fasting, humiliation and prayer, "devoutly to implore the divine interposition for averting the heavy calamities which threatened destruction to their civil rights, and the evils of a civil war; and to give them one heart and one mind, to oppose by all just and proper means every injury to American rights."

Lord Dunmore, the royal Governour of the province, could not be otherwise than highly exasperated at such proceedings. Mr. Jefferson, who had boldly avowed himself the author of the obnoxious pamphlet, was threatened with a prosecution by him for high treason;

and the House of Burgesses was immediately dissolved after their daring publication. Notwithstanding these measures, the members met in their private capacities, and mutually signed a spirited publication, setting forth the unjust conduct of the Governour, who had left them this, their only method, to point out to their countrymen the measures they deemed the best calculated to secure their liberties from destruction by the arbitrary hand of power. They told them that they could no longer resist the conviction, that a determined system had been formed to reduce the inhabitants of British America to slavery, by subjecting them to taxation without their consent, by closing the port of Boston, and raising a revenue on tea. They therefore strongly recommended a closer alliance with the sister colonies, the formation of committees of correspondence, and the annual meeting of a General Congress; and earnestly hoping that a persistence in these principles would not compel them to adopt measures of a more decisive character.

The pamphlet having found its way to England, it was taken up by the opposition, and, with a few interpolations by the celebrated Edmund Burke, passed through several editions. It procured for its author considerable reputation, and likewise the dangerous honour of having his name placed on a list of proscriptions in a bill of attainder, which was commenced in one of the houses of parliament, but was speedily suppressed. In the same bill the names of Hancock, the two Adamses, Peyton Randolph, and Patrick Henry, were inserted.

We are now rapidly approaching the most important

event in the life of Mr. Jefferson, and in the history of his country.

The year 1775 opened, in England, with strenuous attempts by the friends, and apparent ones by the enemies of the colonies, to effect a reconciliation. The certain intelligence which had been received of the transactions of Congress, and the astonishing concord which prevailed in America, made the ministers loath to embrace extreme counsels, and inclined to relax somewhat of their rigour, and to leave an opening for accommodation. Lord North even intimated to the American merchants then in London, that if they presented petitions, they should meet attention. But in the midst of these glimmerings of peace, the news arrived of the schism of New York; an event of great moment in itself, and promising consequences still more important. The minister felt his pride revive: he would no longer hear of petitions or accommodation. Things turned anew to civil war and strife. All the papers relating to the affairs of America, were laid before the two houses. The great Chatham, perceiving the obstinacy of the ministers in their resolution to persist in the course of measures they had adopted, and fearing that it might result in the most disastrous effects, pronounced a long and most extremely eloquent discourse in favour of the colonies, and was heard with solemn and rapt attention.

After having repulsed with a sort of disdain the petitions of the colonies, and those presented in their favour by the islands of the West Indies, and even by England herself; and after having rejected all the counsels of the party in opposition, the ministers unveiled

their schemes, and announced in the presence of the two houses the measures they intended to pursue, in order to reduce the colonies to subjection.

They pronounced that the province of Massachusetts was found in a state of rebellion; and it was proposed that in the address of the king it should be declared that rebellion existed in the province of Massachusetts, and that it was supported and fomented by illegal combinations and criminal compacts with the other colonies, to the great detriment of many subjects of his majesty. This proposition of the ministers was put to vote, and carried by a majority of two thirds of the house.

Lord North then proposed a new bill, the object of which was to restrict the commerce of New England to Great Britain, Ireland, and the West India islands, and prohibit, at the same time, the fishery of Newfoundland. This bill was also approved by a great majority. The opposition protested; the ministers scarcely deigned to perceive it.

But the counsels of the ministers ended not here. Wishing to blend with rigour a certain clemency, and also to prevent new occasions of insurrection in the colonies, they brought forward the project of a law, purporting that when in any province or colony, the Governour, Council, Assembly, or General Court, should propose to make provisions according to their respective conditions, circumstances and faculties, for contributing their proportion to the common defence; such proportion to be raised under the authorities of the General Court or Assembly in each province or colony, and disposable by Parliament; and should engage to

make provision also for the support of the civil government, and the administration of justice in such province or colony; it would be proper, if such proposal should be approved by the King in his Parliament, and for so long as such provision should be made accordingly, to forbear, in respect of such province or colony, to impose any duties, taxes, or assessments, except only such as might be thought necessary for the regulation of commerce. This likewise received the usual large majority in its favour, with directions to lay it before the respective provincial legislatures. It was at least hoped that if the scheme did not finally succeed, it might produce disunion or discontent.

Accordingly, on the first of June, 1775, this resolution was presented by Lord Dunmore, the Governour, to the legislature of Virginia; and Mr. Jefferson was selected by the committee, to whom it was referred, to frame the reply. This was done with so much force of argument, enlarged patriotism, and sound political discretion, that it will ever be considered as a document of the highest order. It concludes in these words:

"These, my Lord, are our sentiments on this important subject, which we offer only as an individual part of the whole empire. Final determination we leave to the General Congress now sitting, before whom we shall lay the papers your Lordship has communicated to us. For ourselves, we have exhausted every mode of application which our invention could suggest as proper and promising. We have decently remonstrated with Parliament: they have added new injuries to the old. We have wearied our King with supplications: he has not deigned to answer us. We have

appealed to the native honour and justice of the British nation: their efforts in our favour have hitherto been ineffectual. What, then, remains to be done? That we commit our injuries to the even-handed justice of that Being who doth no wrong, earnestly beseeching him to illuminate the councils, and prosper the endeavours of those to whom America hath confided her hopes; that, through their wise directions, we may again see reunited the blessings of liberty, prosperity, and harmony with Great Britain."

When this address had been passed, Mr. Jefferson immediately proceeded to Congress, which was then in session, and gave them the first notice they had of it. It was highly approved of by them. He had been elected on the twenty-seventh of March, 1775, one of the members to represent Virginia in the General Congress already assembled at Philadelphia, but had delayed his departure until now at the request of Mr. Randolph, who was fearful the draughting of the address alluded to would, in his absence, have fallen into feebler hands. An elegant biographer asserts: "When about to leave the colony, a circumstance is stated to have occurred to him, and to Mr. Harrison and Mr. Lee, his fellow delegates, that conveyed a noble mark of the unbounded confidence which their constituents reposed in their integrity and virtue. A portion of the inhabitants, who, far removed from the scenes of actual tyranny which were acted in New England, and pursuing uninterruptedly their ordinary pursuits, could form no idea of the slavery impending over them, waited on their three representatives, just before their departure, and addressed them in the following terms:

"You assert that there is a fixed design to invade our rights and privileges; we own that we do not see this clearly, but since you assure us that it is so, we believe the fact. We are about to take a very dangerous step; but we confide in you, and are ready to support you in every measure you shall think proper to adopt." On the twenty-first of June, 1775, Mr. Jefferson appeared, and took his seat in the Continental Congress. In this new capacity he persevered in the decided tone which he had assumed, always maintaining that no accommodation should be made between the two countries, unless on the broadest and most liberal principles; and here, as elsewhere, he soon rendered himself conspicuous among the most able and distinguished men of the day. On the twenty-fourth of the same month, a committee which had been appointed to prepare a declaration setting forth the causes and necessity of resorting to arms, brought in their report, (drawn up, as it was believed, by J. Rutledge,) which, not being approved of, the house recommitted it, and added Mr. Dickinson and Mr. Jefferson to the committee. It is on this occasion that Mr. Jefferson relates the following circumstance: "On the rising of the house, the committee having not yet met, I happened to find myself near Governour W. Livingston, and proposed to him to draw the paper. He excused himself, and proposed that I should draw it. On my pressing him with urgency, 'We are as yet but new acquaintances, sir,' said he, 'why are you so earnest for my doing it?' 'Because,' said I, 'I have been informed that you drew the address to the people of Great Britain, a production, certainly, of the finest pen in America.'

'On that,' says he, 'perhaps, sir, you may not have been correctly informed.' I had received the information in Virginia, from Colonel Harrison, on his return from that Congress. Lee, Livingston, and Jay, had been the committee for the draught. The first, prepared by Lee, had been disapproved and recommitted. The second was drawn by Jay, but being presented by Governour Livingston, had led Colonel Harrison into the error. The next morning, walking in the Hall of Congress, many members being assembled, but the house not yet formed, I observed Mr. Jay speaking to R. H. Lee, and leading him by the button of his coat to me. 'I understand, sir,' said he to me, 'that this gentleman informed you, that Governour Livingston drew the address to the people of Great Britain.' I assured him at once that I had not received that information from Mr. Lee, and that not a word had ever passed on the subject between Mr. Lee and myself; and after some explanations, the subject was dropped. These gentlemen had had some sparrings in debate before, and continued ever very hostile to each other."

Mr. Jefferson prepared the draught of the declaration committed to them. It was drawn with singularity, and exhibited his usual firmness and discretion; but it was considered as too decided by Mr. Dickinson. He still nourished the hope of a reconciliation with Great Britain, and was unwilling it should be lessened by what he considered as offensive statements. He was so honest a man, says Mr. Jefferson, and so able a one, that he was greatly indulged even by those who could not feel his scruples. He was therefore requested to take the paper and put it in a form he could ap-

prove. He did so, preparing an entire new statement, and preserving of the former only the last four paragraphs and half of the preceding one. The committee approved and reported it to Congress, who accepted it. Congress, continues Mr. Jefferson, gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of their body in permitting him to draw their second petition to the King, according to his own ideas, and passing it with scarcely any amendment. The disgust against its humility was general; and Mr. Dickinson's delight at its passage, was the only circumstance which reconciled them to it. The vote being passed, although further observation on it was out of order, he could not refrain from rising and expressing his satisfaction, and concluded by saying, 'There is but one word, Mr. President, in the paper, which I disapprove, and that is the word *Congress*;' on which Mr. B. Harrison rose and replied, "There is but one word in the paper, Mr. President, of which I approve, and that is the word *Congress*."

Lord North's conciliatory resolution coming before the house, Mr. Jefferson, as one of the committee, was requested to prepare the report on the same. The answer of the Virginia Assembly on the same subject having been approved, will account for any similarity between the two reports, they both having proceeded from the same hand.

On the eleventh of August, Mr. Jefferson was again elected a delegate from Virginia, to the third Congress. Though constantly and actively engaged during the winter in the various matters which engaged the atten-

tion of the house, yet he seems rather to have devoted himself to objects of general policy, the arrangement of general plans and systems of action, the investigation of important documents, and objects of a similar nature, than to the details of active business, for which other members could probably be found equally well qualified.

The eventful year of 1776 set in, and brought with it a new aspect, one of more energy, and with motives and objects more decided and apparent. "Eighteen months," says an able writer, "had passed away, since the colonists had learned by the entrenchments at Boston, that a resort to arms was an event not beyond the contemplation of the British ministry; nearly a year had elapsed, since the fields of Concord and Lexington had been stained with hostile blood; during this interval armies had been raised, vessels of war had been equipped, fortifications had been erected, gallant exploits had been performed, and eventful battles had been lost and won; yet still were the provinces bound to their British brothers by the ties of a similar allegiance; still did they look upon themselves as members of the same empire, subjects of the same sovereign, and partners in the same constitution and laws. They acknowledged, that the measures they had adopted were not the result of choice, but the exercise of a right, if not a duty, resulting from this very situation; they confessed that they were engaged in a controversy peculiarly abhorrent to their affections, of which the only object was to restore the harmony formerly existing between the two countries, and to establish it on so firm a basis as to perpetuate its blessings uninterrupted by

any future dissensions to succeeding generations in both nations."

But patience has its limits, though aggression and abuse may know no end; and there is a period when the duty which man owes not only to himself but his posterity prohibits all further forbearance. 'Actuated by such feelings and sentiments, the Convention of Virginia, on the 15th of May, 1776, instructed their delegates in Congress to propose to that body to declare the colonies independent of Great Britain, and appointed a committee to prepare a declaration of rights and plan of government.

Every thing relating to so important a document as the Declaration of Independence must be of vital interest; a document which assigns the reasons for the separation of the colonies from Great Britain; which appeals to heaven for the justness of their cause; which bears the signatures of some of the firmest patriots that ever existed; and which resulted in giving a new and mighty empire to the world. More particularly, in a work of this kind, is such notice due to a production which links inseparably the name of Jefferson to that of his country. Of its discussion from its commencement until its final adoption, we have for the first time a correct account in actual notes of Mr. Jefferson, lately published, and made at the time. From these notes we propose to make liberal extracts of the most interesting matters: the arguments of debate on each side are peculiarly so; and that the publick may have the information in a portable form.

In Congress, Friday, June 7, 1776. The delegates from Virginia moved in obedience to instructions from

their constituents, that the Congress should declare that these United Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved; that measures should be immediately taken for procuring the assistance of foreign powers, and a confederation be formed to bind the colonies more closely together.

The house being obliged to attend at that time to some other business, the proposition was referred to the next day, when the members were ordered to attend punctually at ten o'clock.

Saturday, June 8th. They proceeded to take it into consideration, and referred it to a committee of the whole, into which they immediately resolved themselves, and passed that day and Monday the 10th, in debating on the subject.

It was argued by Wilson, Robert R. Livingston, E. Rutledge, Dickinson, and others—

That though they were friends to the measures themselves, and saw the impossibility that we should ever again be united with Great Britain, yet they were against adopting them at this time:

That the conduct we had formerly observed was wise and proper now, of deferring to take any capital step till the voice of the people drove us into it:

That they were our power, and without them our declarations could not be carried into effect:

That the people of the middle colonies (Maryland, Delaware, Pennsylvania, the Jerseys, and New York) were not yet ripe for bidding adieu to British connex-

ion, but that they were fast ripening, and in a short time would join in the general voice of America:

That the resolution, entered into by this house on the 15th of May, for suppressing the exercise of all powers derived from the crown, had shown, by the ferment into which it had thrown these middle colonies, that they had not yet accommodated their minds to a separation from the mother country:

That some of them had expressly forbidden their delegates to consent to such a declaration, and others had given no instructions, and consequently no powers, to give such consent:

That if the delegates of any particular colony had no power to declare such colony independent, certain they were, the others could not declare it for them; the colonies being as yet perfectly independent of each other:

That the Assembly of Pennsylvania was now sitting above stairs, their Convention would sit within a few days, the Convention of New York was now sitting, and those of the Jerseys and Delaware counties would meet on the Monday following, and it was probable these bodies would take up the question of independence, and would declare to their delegates the voice of their state:

That if such a declaration should now be agreed to, these delegates must retire, and possibly their colonies might secede from the Union:

That such a secession would weaken us more than could be compensated by any foreign alliance:

That in the event of such a division, foreign powers would either refuse to join themselves to our fortunes,

or, having us so much in their power as that desperate declaration would place us, they would insist on terms proportionably more hard and prejudicial :

That we had little reason to expect an alliance with those to whom alone, as yet, we had cast our eyes :

That France and Spain had reason to be jealous of that rising power, which would one day certainly strip them of all their American possessions :

That it was more likely they should form a connexion with the British court, who, if they should find themselves unable otherwise to extricate themselves from their difficulties, would agree to a partition of our territories, restoring Canada to France, and the Floridas to Spain, to accomplish for themselves a recovery of these colonies :

That it would not be long before we should receive certain information of the disposition of the French court, from the agent whom we had sent to Paris for that purpose :

That if this disposition should be favourable, by waiting the event of the present campaign, which we all hoped would be successful, we should have reason to expect an alliance on better terms :

That this would in fact work no delay of any effectual aid from such ally, as, from the advance of the season and distance of our situation, it was impossible we could receive any assistance during this campaign :

That it was prudent to fix among ourselves the terms on which we would form alliance, before we declared we would form one at all events :

And that if these were agreed on, and our declaration of independence ready by the time our ambassador should

be prepared to sail, it would be as well, as to go into that declaration at this day.

On the other side, it was urged by J. Adams, Lee, Wythe and others, that no gentleman had argued against the policy or the right of separation from Britain, nor had supposed it possible we should ever renew our connexion; that they had only opposed its being now declared:

That the question was not whether, by a declaration of independence, we should make ourselves what we are not; but whether we should declare a fact which already exists:

That as to the people or parliament of England, we had always been independent of them, their restraints on our trade deriving efficacy from our acquiescence only, and not from any rights they possessed of imposing them, and that so far our connexion had been federal only, and was now dissolved by the commencement of hostilities:

That, as to the King, we had been bound to him by allegiance, but that this bond was now dissolved by his assent to the late act of Parliament, by which he declares us out of his protection, and by his levying war on us, a fact which had long ago proved us out of his protection; it being a certain position in law, that allegiance and protection are reciprocal, the one ceasing when the other is withdrawn:

That James the II. never declared the people of England out of his protection; yet his actions proved it, and the parliament declared it:

No delegates then can be denied, or ever want, a power of declaring an existent truth:

That the delegates from the Delaware counties having declared their constituents ready to join, there are only two colonies, Pennsylvania and Maryland, whose delegates are absolutely tied up, and that these had, by their instructions, only reserved a right of confirming or rejecting the measure:

That the instructions from Pennsylvania might be accounted for from the times in which they were drawn, near a twelvemonth ago, since which the face of affairs has totally changed:

That within that time, it had become apparent that Britain was determined to accept nothing less than a *carte-blanche*, and that the King's answer to the Lord Mayor, Aldermen, and Common Council of London, which had come to hand four days ago, must have satisfied every one of this point:

That the people wait for us to lead the way:

That they are in favour of the measure, though the instructions given by some of their representatives are not:

That the voice of the representatives is not always consonant with the voice of the people, and that this is remarkably the case in these middle colonies:

That the effect of the resolution of the 15th of May has proved this, which, raising the murmurs of some in the colonies of Pennsylvania and Maryland, called forth the opposing voice of the freer part of the people, and proved them to be the majority even in these colonies:

That the backwardness of these two colonies might be ascribed partly to the influence of proprietary pow-

er and connexions, and partly to their having not yet been attacked by the enemy :

That these causes were not likely to be soon removed, as there seemed no probability that the enemy would make either of these the seat of this summer's war :

That it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question :

That the conduct of some colonies, from the beginning of this contest, had given reason to suspect it was their settled policy to keep in the rear of the confederacy, that their particular prospect might be better, even in the worst event :

That, therefore, it was necessary for those colonies who had thrown themselves forward and hazarded all from the beginning, to come forward now also, and put all again to their own hazard :

That the history of the Dutch revolution, of whom three states only confederated at first, proved that a secession of some colonies would not be so dangerous as some apprehended :

That a declaration of independence alone could render it consistent with European delicacy, for European powers to treat with us, or even to receive an ambassador from us :

That till this, they would not receive our vessels into their ports, nor acknowledge the adjudications of our courts of admiralty to be legitimate, in cases of capture of British vessels :

That though France and Spain may be jealous of our rising power, they must think it will be much more

formidable with the addition of Great Britain; and will therefore see it their interest to prevent a coalition; but should they refuse, we shall be but where we are; whereas, without trying, we shall never know whether they will aid us or not:

That the present campaign may be unsuccessful, and therefore we had better propose an alliance while our affairs wear a hopeful aspect:

That to wait the event of this campaign will certainly work delay, because, during this summer, France may assist us effectually, by cutting off those supplies of provisions from England and Ireland, on which the enemy's army here are to depend: or by setting in motion the great power they have collected in the West Indies, and calling our enemy to the defence of the possessions they have there:

That it would be idle to lose time in settling the terms of alliance, till we had first determined we should enter into alliance:

That it is necessary to lose no time in opening a trade for our people, who will want clothes; and will want money too, for the payment of taxes:

And that the only misfortune is, that we did not enter into alliance with France six months sooner, as, besides opening her ports for the vent of our last year's produce, she might have marched an army into Germany, and prevented the petty princes there from selling their unhappy subjects to subdue us.

It appearing, in the course of these debates, that the colonies of New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina, were not yet matured for falling from the parent stem, but that they

were fast advancing to that state, it was thought most prudent to wait awhile for them, and to postpone the final decision to July 1st: but, that this might occasion as little delay as possible, a committee was appointed to prepare a declaration of independence. The committee were John Adams, Dr. Franklin, Roger Sherman, Robert R. Livingston, and myself. Committees were also appointed, at the same time, to prepare a plan of confederation for the colonies, and to state the terms proper to be proposed for foreign alliance. The committee for drawing the declaration of independence desired me to do it. It was accordingly done, and being approved by them, I reported it to the house on Friday the 28th of June, when it was read and ordered to lie on the table. On Monday, the 1st of July, the House resolved itself into a committee of the whole, and resumed the consideration of the original motion made by the delegates of Virginia, which being again debated through the day, was carried in the affirmative by the votes of New Hampshire, Connecticut, Massachusetts, Rhode Island, New Jersey, Maryland, Virginia, North Carolina, and Georgia. South Carolina and Pennsylvania voted against it. Delaware had but two members present, and they were divided. The delegates from New York declared they were for it themselves, and were assured their constituents were for it; but that their instructions having been drawn near a twelvemonth before, when reconciliation was still the general object, they were enjoined by them to do nothing which should impede that object. They therefore thought themselves not justifiable in voting on either side, and asked leave to

withdraw from the question, which was given them. The committee rose and reported their resolution to the house. Mr. Edward Rutledge, of South Carolina, then requested the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity. The ultimate question, whether the house would agree to the resolution of the committee, was accordingly postponed to the next day, when it was again moved, and South Carolina concurred in voting for it. In the mean time, a third member had come post from the Delaware counties, and turned the vote of that colony in favour of the resolution.—Members of a different sentiment attending that morning from Pennsylvania also, her vote was changed, so that the whole twelve colonies, who were authorized to vote at all, gave their voices for it; and within a few days the Convention of New York approved of it, and thus supplied the void occasioned by the withdrawing of her delegates from the vote.

Congress proceeded the same day to consider the Declaration of Independence, which had been reported and laid on the table the Friday preceding, and on Monday referred it to a committee of the whole. The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many. For this reason, those passages which conveyed censure on the people of England were struck out, lest they should give them offence. The clause too, reproaching the enslaving the inhabitants of Africa, was struck out, in compliance to South Carolina and Georgia, who had never attempted to restrain the im-

portation of slaves, and who, on the contrary, still wished to continue it. Our northern brethren also, I believe, felt a little tender under those censures; for though their people had very few slaves themselves, yet they had been pretty considerable carriers of them to others. The debates having taken up the greater part of the 2d, 3d, and 4th days of July, were, on the evening of the last, closed; the declaration was reported by the committee, agreed to by the house, and signed by every member present, except Mr. Dickinson.

The declaration as it was originally presented to Congress, and as it was subsequently published to the world, is here given, as peculiarly proper to be inserted in a memoir of its illustrious author; marking in *italicks* the words which were erased by Congress, and introducing between brackets the additions and substitutions that were made before it received the sanction of that body. It is as follows:

“When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with [certain] *inherent and* inalienable rights; that among these are life, liberty, and the pursuit of hap-

piness ; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes ; and accordingly, all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, *begun at a distant period and pursuing invariably the same object*, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to [alter] *expunge* their former systems of government.

" The history of the present King of Great Britain is a history of [repeated] *unremitting* injuries and usurpations, *among which appears no solitary fact to contradict the uniform tenour of the rest ; but all have* [all having] in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world, *for the truth of which we pledge a faith yet unsullied by falsehood.*

" He has refused his assent to laws the most wholesome and necessary for the publick good.

" He has forbidden his Governours to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

" He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

" He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their publick records, for the sole purpose of fatiguing them into compliance with his measures.

" He has dissolved representative houses repeatedly *and continually*, for opposing with manly firmness his invasions on the rights of the people.

" He has refused, for a long time after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining in the mean time exposed to all the dangers of invasion from without and convulsions within.

" He has endeavoured to prevent the population of these states ; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither ; and raising the conditions of new appropriations of lands.

" He has *suffered* [obstructed] the administration of justice *totally to cease in some of these states*, [by].

refusing his assent to laws for establishing judiciary powers.

"He has made *our* judges dependent on his will alone for the tenure of their offices, and the amount and payment of, their salaries.

"He has erected a multitude of new offices, *by a self-assumed power*, and sent hither swarms of officers to harass our people, and eat out their substance.

"He has kept among us in times of peace, standing armies *and ships of war*, without the consent of our legislatures.

"He has affected to render the military independent of and superiour to the civil power.

"He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation :

"For quartering large bodies of armed troops among us :

"For protecting them, by mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

"For cutting off our trade with all parts of the world :

"For imposing taxes on us without our consent :

"For depriving us [in many cases] of the benefits of trial by jury :

"For transporting us beyond seas to be tried for pretended offences :

"For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so.

as to render it at once an example and fit instrument for introducing the same absolute rule into these *states* [colonies:]

“For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

“For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever:

“He has abdicated government here, *withdrawing his Governours*, and [by] declaring us out of his *allegiance and* protection, [and waging war against us:]

“He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people:

“He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, [scarcely paralleled in the most barbarous ages, and totally] unworthy the head of a civilized nation.

“He has constrained our fellow citizens taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

“He has [excited domestick insurrections among us, and has] endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of *existence*.

“*He has incited treasonable insurrections of our*

fellow citizens, with the allurements of forfeiture and confiscation of our property.

"He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of INFIDEL powers, is the warfare of the CHRISTIAN King of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them: thus paying off former crimes committed against the LIBERTIES of one people, with crimes which he urges them to commit against the LIVES of another.

"In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injuries.

"A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a [free] people who mean to be free. Future ages will scarcely believe that the hardness of one man adventured, within the short compass of twelve

years only, to lay a foundation so broad and so undisguised for tyranny over a people fostered and fixed in principles of freedom.

“Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend [an unwarrantable] a jurisdiction over [us] *these our states*. We have reminded them of the circumstances of our emigration and settlement here, *no one of which could warrant so strange a pretension: that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain: that in constituting indeed our several forms of government, we had adopted one common King, thereby laying a foundation for perpetual league and amity with them: but that submission to their parliament was no part of our constitution, nor ever in idea, if history may be credited: and we [have] appealed to their native justice and magnanimity as well as to [and we have conjured them by] the ties of our common kindred, to disavow these usurpations, which were likely to [would inevitably] interrupt our connexion and correspondence. They too have been deaf to the voice of justice and of consanguinity; and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time, too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch and foreign mercenaries, to invade and destroy us.*

These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavour to forget our former love for them, and hold them as we hold the rest of mankind, enemies in war; in peace, friends. We might have been a free and a great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too. We will tread it apart from them, and [we must therefore] acquiesce in the necessity which denounces our eternal separation, [and hold them as we hold the rest of mankind, enemies in war; in peace, friends!]

"We, therefore, the representatives of the United States of America, in General Congress assembled, [appealing to the Supreme Judge of the world for the rectitude of our intentions,] do in the name and by the authority of the good people of these states, [colonies,] reject and renounce all allegiance and subjection to the Kings of Great Britain, and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connexion which may heretofore have subsisted between us and the parliament of Great Britain; and finally, we do assert [solemnly publish and declare] that these United Colonies are, [and of right ought to be,] free and independent states; [that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved;] and that, as free and independent states, they have full power to levy

war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

“And for the support of this declaration, [with a firm reliance on the protection of Divine Providence,] we mutually pledge to each other our lives, our fortunes, and our sacred honour.”

The Declaration thus signed on the 4th on paper, was engrossed on parchment, and signed again on the 2d of August.

Such was this famous declaration of the independence of the United States of America, which, necessary as it appears to have been, says Botta, was not, however, exempt from peril: for although the greater part of America perceived that the course of things must have led to this extremity, there were still many who openly manifested contrary sentiments. And they were, unfortunately, more numerous in the provinces menaced by Great Britain than in any other. The American armies were feeble, the treasury poor, foreign succours uncertain, and the ardour of the people might abate all at once.

It was known that England was determined to exert all her forces for the reduction of the colonies, before they should have time to become confirmed in their rebellion, or to form alliances with foreign powers. If the American arms, as there was but too much reason to fear, should prove unfortunate in the ensuing campaign, it could not be disguised that the people would lay it to the charge of independence; and that, according to the ordinary operations of the human mind, they

would rapidly retrograde towards the opinions they had abjured. When despair once begins, the prostration of energy follows as its immediate consequence. But the war was inevitable, all arrangement impossible, and the Congress urged by necessity to take a decisive resolution. On every side they saw dangers, but they preferred to brave them for the attainment of a determinate object, rather than trust any longer to the uncertain hope of the repeal of the laws against which they were in arms.

For it was even difficult to designate which of these laws were to be revoked. Some desired to have all those repealed which had been passed since the year 1763; others only proscribed a part of them; and there were still others whom a total abrogation would not have satisfied, and who wished also for the abolition of some ancient statutes. In the heat of debates, propositions had been advanced to which it was impossible that Great Britain should ever consent. Nor can it be denied, that the declaration of independence was conformable to the nature of things. Circumstances would not have endured much longer, that a people like that of America, numerous, wealthy, warlike, and accustomed to liberty, should depend upon another at a great distance, and little superiour in power. The English ministry could not shut their eyes to it; and such, perhaps, was the secret reason of their obduracy in attempting to load their colonies with heavier chains. It is also certain, that foreign princes would not have consented to succour, or to receive into their alliance, a people who acknowledged themselves the subjects; whereas it might be expected that they would

unite to those of a nation, determined, at all hazards, to obtain the recognition of its liberty and independence. In the first case, even victory would not have given allies to the Americans; in the second, they were assured of them only by showing themselves resolved to sustain their cause with arms in hand.

And none were more sensible of the difficulties and dangers which surrounded them than the heroick men who had affixed their signatures, either to their country's success, or their own destruction. Dr. Thacher, in his Military Journal, relates a circumstance which may show the acuteness of their feelings, though disguised under the sportive bitterness of raillery. "Mr. Harrison, a delegate from Virginia," writes the doctor, "is a large portly man. Mr. Gerry, of Massachusetts, is slender and spare. A little time after the solemn transaction of signing the instrument, Mr. Harrison said smilingly to Mr. Gerry—'when the hanging scene comes to be exhibited, I shall have the advantage over you on account of my size: all will be over with me in a moment, but you will be kicking in the air a half an hour after I am gone.' "

But, as to the disposition of the people themselves, the reception given to this celebrated paper on its promulgation, must have justified the hopes of the most ardent, and dispelled the fears of the most timid. It was every where hailed with joy, gladness, and enthusiasm; and the most cautious, if they allowed the certainty of an impending struggle, admitted its necessity and its great advantage. Nor were there any of those publick demonstrations omitted which governments are accustomed to employ on similar occasions, to con-

ciliate the favour of the people to their determination. Independence was proclaimed, with great solemnity, at Philadelphia, the 8th of July. The artillery was fired, bonfires were kindled; the people seemed actually delirious with exultation. On the 11th, the manifesto of Congress was published in New York, and was read to each brigade of the American army, which, at that time, was assembled in the vicinity of the city: it was received with universal acclamations. The same evening, the statue of King George III., which had been erected in 1770, was taken down, and dragged through the streets by the sons of liberty. It was decided that the lead of which it was composed should be converted into musket balls. These excesses, if blameable in themselves, were not without utility if considered politically; they excited the people, and hurried them on to the object that was desired. At Baltimore, independence having been proclaimed in the presence of cannoniers and militia, the people could not contain their enthusiasm. The air resounded with salutes of artillery, and the shouts that hailed the freedom and happiness of the United States of America. The effigy of the King became the sport of the populace, and was afterwards burnt in the public square.

But, according to description, and the concurrent testimony of Dr. Thacher, who was there at the time, the rejoicings at Boston were the greatest of all. Independence was there proclaimed from the balcony of the state house, in the presence of all the authorities, civil and military, and of an immense concourse of people, as well from the city itself, as from the country.

The garrison was drawn up in order of battle in King street, which, from that moment, took the name of State street; the troops formed in thirteen detachments, to denote the thirteen United States. At a given signal, a salute of thirteen cannon was fired upon Fort Hill, which was immediately answered by an equal number from the batteries of the Castle, of the Neck, of Nantasket, and of Point Alderton. The garrison, in their turn, fired thirteen salutes of musketry, each detachment firing in succession. The authorities and most considerable inhabitants then convened at a banquet prepared in the council chamber, where they drank toasts to the perpetuity and prosperity of the United States, to the American Congress, to General Washington, to the success of the arms of the confederacy, to the destruction of tyrants, to the propagation of civil and religious liberty, and to the friends of the United States in all parts of the world. All the bells rung in token of felicitation; the joy was universal, and its demonstrations were incessantly renewed. In the evening, all the ensigns of royalty, lions, sceptres or crowns, whether sculptured or painted, were torn in pieces, and burnt in State street.

But in Virginia, according to a celebrated author, it would be impossible to describe the exultation that was manifested.

The Virginia Convention decreed that the name of the King should be suppressed in all the publick prayers. They ordained that the great seal of the commonwealth of Virginia should represent Virtue as the tutelary genius of the province, robed in the drapery of an amazon, resting one hand upon her lance, and hold-

ing with the other a sword, trampling upon tyranny, under the figure of a prostrate man, having near him a crown fallen from his head, and bearing in one hand a broken chain, and in the other a scourge. At the foot was charactered the word "Virginia," and round the effigy of Virtue, was inscribed, "*Sic semper tyrannis.*" The reverse represented a group of figures; in the middle stood Liberty, with her wand and cap; on one side was Ceres, with the horn of plenty in the right hand, and a sheaf of wheat in the left; upon the other appeared Eternity, with the globe and the phoenix. At the foot were found these words, "*Deus nobis hæc otia fecit.*"

In the midst of these transports, nothing was forgotten that might tend to inspire the people with affection for the new order of things, and a violent hatred not only towards tyranny, but also against monarchy; the former being considered as the natural result from the latter.

Thus, on the one hand, the American patriots, by their secret combinations, and then by a daring resolution; and on the other, the British ministers, at first by oppressive laws, and afterwards by hesitating counsels, gave origin to a crisis which eventually produced the dismemberment of a splendid and powerful empire. So constant are men in the pursuits of liberty, and so obstinate in ambition.

Paul Allen, in his History of the Revolution, remarks: "The declaration of independence, once published to the world with such solemnity, gave a new character to the contest, not only in the colonies, but in Europe. Before this decisive step, the American peo-

ple were regarded by many able and good men as well as sound politicians, on both sides of the Atlantick, rather as children struggling for doubtful privileges with a parent, than as men contending with men for their natural and undisputable rights.

But this deliberate appeal to the nations of the earth, to posterity, and to the God of battles, gave a new political character, an immediate dignity and manhood, to their cause. It was no longer the unholy struggle of subjects against their monarch—of children against their parent—of rash and turbulent men who never measure nor weigh the consequences of their deeds: it was no longer a contest for mere matters of opinion, but for a national existence—for life or death. It became, under the awful sanction of that assembly, the temperate and determined stand of men who had entrenched themselves within the certain and thoroughly understood limits of their rights—of men who had counted the cost dispassionately, and measured the event without shrinking—of men who felt, deliberated, and acted as the representatives of a whole people, conscious of their infirmities and their responsibility, knowing the might of their adversaries and the weakness of their friends, but determined to do their duty to their children, and leave them their inheritance undisturbed and unimpaired. Or if that might not be, and the liberties of Englishmen were no longer the protection of their wives or the birthright of their children, to leave them as widows and orphans to the charity of Heaven."

The declaration of independence was, of itself, a victory—a victory over the passions, prejudices, and fears of a multitude. It drew a line for ever, between

the friends and the foes of America. It left no neutrals. He who was not for independence, unconditional independence, was an enemy. The effect produced on the public mind by the boldness and unanimity manifested on this occasion by the delegates of the several colonies, operated on the general confidence of the people as much as a similar declaration would have done, had it been adopted and signed by the whole population of the states. In the public exultation at the time, the murmurs of disapprobation were unheard, and the opposition to be expected from the discontented and factious, who were always a formidable minority, and in the very bosom of the country, was entirely overlooked.

CHAPTER II.

It is one of the inconsistencies of human nature, that the British parliament should claim that authority over, and impress those burdens on the colonists, against which, when applied to themselves, they had murmured, protested, and rebelled. There cannot be a more striking parallel, than between the English revolution of 1688, and the North American revolution of 1776. In both cases, previous discussion had fairly put the disputed question in issue; each party to the dispute had fully weighed and settled its principles, its claims, and its duties; the people of England and the people of America were in both cases on the defensive; not aiming at establishing new rights, or setting up new pretensions against old established despotism, but defending against encroachment on liberties which they had always enjoyed, and seeking new guarantees to secure them.—Broken charters, insulted legislatures, and violated judiciaries, arbitrary acts defended by arbitrary principles, and injustice supported by violence, drove the English nation in 1688, and the English colonies in 1776, to declare that the respective sovereigns had abdicated the government.

The American revolution was complete in 1776, but it still remained to defend it by arms.

On Friday, July 12, 1776, the committee appointed to draw the articles of confederation between the thirteen states, reported them to Congress; and on the 22d, the house resolved themselves into a committee to take them into consideration. The institution of new government by a people reeking from tyranny and oppression, is a sight, which, whilst it engages the solicitous attention of the patriot and philanthropist, is no less calculated to alarm their fears. Smarting from their wrongs, and still fresh in their indignation, it is to be apprehended that every curb of restraint will be removed, and that liberty may degenerate into violence or licentiousness. The French revolution reads a most terrific lesson on this subject. It was not so with those heroic men who had just placed their hands to the Declaration of Independence; and the articles of confederation, if they do not guard against every evil, or provide for every future contingency, were yet the result of virtue and wisdom, and calculated for the promotion of rational freedom. The notes of Mr. Jefferson contain the earlier debates on some of these articles; and as circumstances connected with the infant government of the country, and as displaying the powers of the most prominent men in it, to these notes we shall again have reference.*

On the 30th and 31st of that month, (July,) and 1st of the ensuing, those articles were debated which de-

* The course of deliberation was conducted with profound secrecy, and no other record now remains of that wisdom and intelligence, of that capacious and accurate view of political science and ethical philosophy, which a discussion of the principles of government must have drawn forth from the accomplished civilians who were members of that Congress.

terminated the proportion, or quota, of money which each state should furnish to the common treasury, and the manner of voting in Congress. The first of these articles was expressed in the original draught in these words: "Art. XI. All charges of war, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes in each colony, a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the Assembly of the United States."

Mr. Chase moved that the quotas should be fixed, not by the number of inhabitants of every condition, but by that of the white inhabitants. He admitted that taxation should be always in proportion to property; that this was, in theory, the true rule; but that, from a variety of difficulties, it was a rule which could never be adopted in practice. The value of the property in every state, could never be estimated justly and equally. Some other measures for the wealth of the state must therefore be devised, some standard referred to, which would be more simple. He considered the number of inhabitants as a tolerably good criterion of property, and that this might always be obtained. He therefore thought it the best mode which we could adopt, with one exception only: he observed that negroes are property, and, as such, cannot be distinguished from the lands or personalities held in those states where there are few slaves; that the surplus of profit which a north-

ern farmer is able to lay by, he invests in cattle, horses, &c.; whereas a southern farmer lays out the same surplus in slaves. There is no more reason, therefore, for taxing the southern states on the farmer's head, and on his slave's head, than the northern states on their farmers' heads and the heads of their cattle; that the method proposed would, therefore, tax the southern states according to their numbers and their wealth conjunctly, while the northern would be taxed on numbers only; that negroes, in fact, should not be considered as members of the state more than cattle, and that they have no more interest in it.

Mr. John Adams observed, that the numbers of people were taken by this article as an index of the wealth of the state, and not as subjects of taxation; that, as to this matter, it was of no consequence by what name you called your people, whether by that of freemen or of slaves; that in some countries the labouring poor were called freemen, in others they were called slaves; but that the difference as to the state was imaginary only. What matters it whether a landlord employing ten labourers on his farm, gives them annually as much money as will buy them the necessaries of life, or gives them those necessaries at shorthand. The ten labourers add as much wealth annually to the state, increase its exports as much, in the one case as the other. Certainly five hundred freemen produce no more profits, no greater surplus for the payment of taxes, than five hundred slaves. Therefore, the state in which are the labourers called freemen, should be taxed no more than that in which are those called slaves. Suppose, by an extraordinary operation of nature or of

law, one half the labourers of a state could, in the course of one night, be transformed into slaves: would the state be made the poorer, or the less able to pay taxes?— That the condition of the labouring poor in most countries, that of the fishermen, particularly of the northern states, is as abject as that of slaves. It is the number of labourers which produces the surplus for taxation, and numbers, therefore, indiscriminately, are the fair index of wealth; that it is the use of the word *property* here, and its application to some of the people of the state, which produces the fallacy. How does the southern farmer procure slaves? Either by importation or by purchase from his neighbour. If he imports a slave, he adds one to the number of labourers in his country, and proportionably to its profits and abilities to pay taxes; if he buys from his neighbour, it is only a transfer of a labourer from one farm to another, which does not change the annual produce of the state, and therefore, should not change its tax; that if a northern farmer works ten labourers on his farm; he can, it is true, invest the surplus of ten men's labour in cattle; but so may the southern farmer, working ten slaves; that a state of one hundred thousand freemen can maintain no more cattle than one of one hundred thousand slaves: therefore, they have no more of that kind of property; that a slave may, indeed, from the custom of speech, be more properly called the wealth of his master, than the free labourer might be called the wealth of his employer; but as to the state, both were equally its wealth, and should, therefore, equally add to the quota of its tax.

Mr. Harrison proposed, as a compromise, that two

slaves should be counted as one freeman. He affirmed that slaves did not do as much work as freemen, and doubted if two effected more than one; that this was proved by the price of labour: the hire of a labourer in the southern colonies being from £8 to £12, while in the northern it was generally £24.

Mr. Wilson said, that if this amendment should take place, the southern colonies would have all the benefit of slaves, whilst the northern ones would bear the burden; that slaves increase the profits of a state, which the southern states mean to take to themselves; that, they also increase the burden of defence, which would of course fall so much the heavier on the northern; that slaves occupy the places of freemen and eat their food. Dismiss your slaves, and freemen will take their places. It is our duty to lay every discouragement on the importation of slaves; but this amendment would give the *jus trium liberorum* to him who would import slaves; that other kinds of property were pretty equally distributed through all the colonies: there were as many cattle, horses, and sheep, in the north as the south, and south as the north, but not so as to slaves; that experience has shown that those colonies have been always able to pay most, which have the most inhabitants, whether they be black or white: and the practice of the southern colonies has always been to make every farmer pay poll taxes upon all his labourers, whether they be black or white. He acknowledges, indeed, that freemen work the most; but they consume the most also. They do not produce a greater surplus for taxation. The slave is neither fed nor clothed so expensively as a freeman. Again; white women are ex-

empted from labour generally, but negro women are not. In this, then, the southern states have an advantage, as the article now stands. It has sometimes been said that slavery is necessary, because the commodities they raise would be too dear for market if cultivated by freemen: but now it is said that the labour of the slave is the dearest.

Mr. Payne urged the original resolution of Congress, to proportion the quotas of the states to the number of souls.

Dr. Witherspoon was of opinion, that the value of lands and houses was the best estimate of the wealth of a nation, and that it was practicable to obtain such a valuation. This is the true barometer of wealth. The one now proposed is imperfect in itself and unequal between the states. It has been objected that negroes eat the food of freemen, and therefore should be taxed; horses also eat the food of freemen: therefore they also should be taxed. It has been said, too, that in carrying slaves into the estimate of the taxes the state is to pay, we do no more than those states themselves do, who always take slaves into the estimate of the taxes the individual is to pay. But the cases are not parallel. In the southern colonies, slaves pervade the whole colony; but they do not pervade the whole continent. That as to the original resolution of Congress, to proportion the quotas according to the souls, it was temporary only, and related to the moneys heretofore emitted; whereas we are now entering into a new compact, and therefore stand on original ground.

August 1. The question being put, the amendment proposed was rejected by the votes of New Hampshire,

Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; against those of Delaware, Maryland, Virginia, North and South Carolina. Georgia was divided.

The other article was in these words: "Art. XVII. In determining questions, each colony shall have one vote."

July 30, 31, August 1. Present, forty-one members. Mr. Chase observed, that this article was the most likely to divide us, of any one proposed in the draught then under consideration; that the larger colonies had threatened they would not confederate at all, if their weight in Congress should not be equal to the numbers of people they added to the confederacy; while the smaller ones declared against a union, if they did not retain an equal vote for the protection of their rights. That it was of the utmost consequence to bring the parties together, as, should we sever from each other, either no foreign power will ally with us at all, or the different states will form different alliances, and thus increase the horrors of those scenes of civil war and bloodshed, which, in such a state of separation and independence, would render us a miserable people.— That our importance, our interests, our peace, required that we should confederate, and that mutual sacrifices should be made to effect a compromise of this difficult question. He was of opinion, the smaller colonies would lose their rights, if they were not, in some instances, allowed an equal vote; and therefore that a discrimination should take place among the questions which would come before Congress. That the smaller states should be secured in all questions concerning

life or liberty, and the greater ones in all respecting property. He therefore proposed, that in votes relating to money, the voice of each colony should be proportioned to the number of its inhabitants."

Dr. Franklin thought, that the votes should be so proportioned in all cases. He took notice that the Delaware counties had bound up their delegates to disagree to this article. He thought it a very extraordinary language to be held by any state, that they would not confederate with us unless we would let them dispose of our money. Certainly, if we vote equally, we ought to pay equally; but the smaller states will hardly purchase the privilege at this price. That had he lived in a state where the representation, originally equal, had become unequal by time and accident, he might have submitted rather than disturb government; but that we should be very wrong to set out in this practice, when it is in our power to establish what is right. That at the time of the union between England and Scotland, the latter had made the objection which the smaller states now do; but experience had proved that no unfairness had ever been shown them; that their advocates had prognosticated that it would again happen, as in times of old, that the whale would swallow Jonas, but he thought the prediction reversed in event, and that Jonas had swallowed the whale; for the Scotch had in fact got possession of the government, and gave laws to the English. He reprobated the original agreement of Congress to vote by colonies, and, therefore, was for their voting, in all cases, according to the number of taxables.

Dr. Witherspoon opposed every alteration of the

article. All men admit that a confederacy is necessary. Should the idea get abroad that there is likely to be no union among us, it will damp the minds of the people, diminish the glory of our struggle, and lessen its importance; because it will open to our view future prospects of war and dissension among ourselves. If an equal vote be refused, the smaller states will become vassals to the larger; and all experience has shown, that the vassals and subjects of free states are the most enslaved. He instanced the Helots of Sparta and the provinces of Rome. He observed that foreign powers, discovering this blemish, would make it a handle for disengaging the smaller states from so unequal a confederacy. That the colonies should, in fact, be considered as individuals; and that, as such, in all disputes, they should have an equal vote; that they are now collected as individuals making a bargain with each other, and, of course, had a right to vote as individuals. That in the East India Company they voted by persons, and not by their proportion of stock. That the Belgick confederacy voted by provinces. That in questions of war, the smaller states were as much interested as the larger, and therefore should vote equally; and indeed, that the larger states were more likely to bring war on the confederacy in proportion as their frontiers were more extensive. He admitted that equality of representation was an excellent principle, but then it must be of things which are co-ordinate; that is, of things similar, and of the same nature; that nothing relating to individuals could ever come before Congress: nothing but what would respect colonies. He distinguished between an incorporating and a

federal union. The union of England was an incorporating one; yet Scotland had suffered by that union, for that its inhabitants were drawn from it by the hopes of places and employments; nor was it an instance of equality of representation: because, while Scotland was allowed nearly a thirteenth of representation, they were to pay only one fortieth of the land tax. He expressed his hopes, that in the present enlightened state of men's minds, we might expect a lasting confederacy, if it was founded on fair principles.

John Adams advocated the voting in proportion to numbers. He said, that we stand here as the representatives of the people; that in some states the people are many, in others they are few; that, therefore, their vote here should be proportioned to the numbers from whom it comes. Reason, justice, and equity, never had weight enough on the face of the earth to govern the councils of men. It is interest alone which does it, and it is interest alone which can be trusted; that, therefore, the interests within doors should be the mathematical representatives of the interests without doors; that the individuality of the colonies is a mere sound. Does the individuality of a colony increase its wealth or numbers? If it does, pay equally. If it does not add weight in the scale of the confederacy, it cannot add to their rights nor weigh in argument. A. has £50, B. £500, and C. £1000 in partnership. Is it just they should equally dispose of the moneys of the partnership? It has been said we are independent individuals, making a bargain together: the question is not, what we are now, but what we ought to be when our bargain shall be made. The confederacy is

to make us one individual only; it is to form us, like separate parcels of metal, into one common mass. We shall no longer retain our separate individuality, but become a single individual as to all questions submitted to the confederacy. Therefore, all those reasons which prove the justice and expediency of equal representation in other assemblies, hold good here. It has been objected, that a proportionable vote will endanger the smaller states. We answer, that an equal vote will endanger the larger. Virginia, Pennsylvania, and Massachusetts, are the three greater colonies. Consider their distance, their difference of produce, of interests, and of manners, and it is apparent they can never have an interest or inclination to combine for the oppression of the smaller; that the smaller will naturally divide on all questions with the larger.—Rhode Island, from its relation, similarity, and intercourse, will generally pursue the same objects with Massachusetts; Jersey, Delaware, and Maryland, with Pennsylvania.

Dr. Rush took notice, that the decay of the liberties of the Dutch republick proceeded from three causes: 1. the perfect unanimity requisite on all occasions; 2. their obligation to consult their constituents; 3. their voting by provinces. This last destroyed the equality of representation, and the liberties of Great Britain also are sinking from the same defect. That a part of our rights is deposited in the hands of our legislatures. There, it was admitted, there should be an equality of representation. Another part of our rights is deposited in the hands of Congress; why is it not equally necessary, there should be an equal repre-

representation there? Were it possible to collect the whole body of the people together, they would determine the questions submitted to them by their majority. Why should not the same majority decide when voting here, by their representatives? The larger colonies are so providentially divided in situation, as to render every fear of their combining visionary. Their interests are different, and their circumstances dissimilar. It is more probable they will become rivals, and leave it in the power of the smaller states to give preponderance to any scale they please. The voting by the number of free inhabitants, will have one excellent effect, that of inducing the colonies to discourage slavery, and to encourage the increase of their free inhabitants.

Mr. Hopkins observed, that there were four larger, four smaller, and four middle-sized colonies. That the four largest would contain more than half the inhabitants of the confederating states, and therefore would govern the others as they should please. That history affords no instance of such a thing as equal representation. The Germanick body votes by states. The Helvetick body does the same; and so does the Belgick confederacy. That too little is known of the ancient confederations, to say what was their practice.

Mr. Wilson thought, that taxation should be in proportion to wealth, but that representation should accord with the number of freemen. That government is a collection or result of the wills of all; that if any government could speak the will of all, it would be perfect; and that so far as it departs from this, it becomes imperfect. It has been said, that Congress is a representation of states, not of individuals. I say, that

the objects of its care are all the individuals of the states. It is strange, that annexing the name of 'state' to ten thousand men, should give them an equal right with forty thousand. This must be the effect of magick, not of reason. As to those matters which are referred to Congress, we are not so many states; we are one large state. We lay aside our individuality whenever we come here. The Germanick body is a burlesque on government; and their practice on any point, is a sufficient authority and proof that it is wrong. The greatest imperfection in the constitution of the Belgick confederacy is their voting by provinces.— The interest of the whole is constantly sacrificed to that of the small states. The history of the war in the reign of Queen Ann, sufficiently proves this. It is asked, shall nine colonies put it into the power of four to govern them as they please? I invert the question, and ask, shall two millions of people put it into the power of one million to govern them as they please? It is pretended, too, that the smaller colonies will be in danger from the greater. Speak in honest language and say, the minority will be in danger from the majority. And is there an assembly on earth, where this danger may not be equally pretended? The truth is, that our proceedings will then be consentaneous with the interests of the majority, and so they ought to be. The probability is much greater, that the larger states will disagree, than that they will combine. I defy the wit of man to invent a possible case, or to suggest any one thing on earth, which shall be for the interests of Virginia, Pennsylvania, and Massachusetts, and

which will not also be for the interests of the other states.

These articles, reported July 12, '76, were debated from day to day and time to time, for two years, and were ratified July 9, '78, by ten states, by New Jersey on the 26th of November of the same year, and by Delaware on the 23d of February following. Maryland alone held off two years more, acceding to them March 1, '81, and thus closing the obligation.

Our delegation, says Mr. Jefferson, had been renewed for the ensuing year, commencing August 11; but the new government was now organized, a meeting of the legislature was to be held in October, and I had been elected a member by my county. I knew that our legislation under the regal government had many very vicious points which urgently required reformation, and I thought I could be of more use in forwarding that work. I therefore retired from my seat in Congress on the 2d of September, resigned it, and took my place in the legislature of my state on the 7th of October.

In this situation he was indefatigable in his labours to improve the imperfect constitution of the state, which had been recently and hastily adopted before a draught of one, which he had formed on the purest principles of republicanism, had reached the Convention, which was deliberating at Richmond. This Convention was no sooner assembled than they had immediately proceeded to the formation of a new plan of government; and, with a haste which abandoned all discretion, a constitution was adopted in the succeeding month. Mr. Jefferson was at this time absent in Philadelphia,

as a delegate to Congress; but he had, for a long time previous, devoted unmitigated reflection and research to maturing a plan for a new government, and had already formed one well adapted to all the wants and privileges of democrattick freemen. This draught was transmitted by him to the Convention; but unfortunately, the one that they had framed, had received a final vote in its favour on the day Mr. Jefferson's reached its destination. The debate had already been ardent and protracted, the members were wearied and exhausted, and after making a few alterations, and adopting entire the masterly preamble which Mr. Jefferson had prefixed, it was thought expedient, for the present, to adhere to the original plan, imperfect as on all hands it was acknowledged to be.

The extremes of right and wrong are said very closely to approach each other; and, according to a discriminating writer, an incident in the political history of Virginia does not invalidate the maxim. In June, a constitution had been adopted, breathing in every article the most vehement spirit of equal rights, and established on the downfall of arbitrary rule. No later than the following December, a serious proposition was made to establish a Dictator; "invested with every power, legislative, executive, and judiciary, civil and military, of life and of death, over our persons and over our properties." To the wise and good of every party, to the patriot and philanthropist, such a scheme could not but appear as absurd as its success would be tyrannical and awfully dangerous. In Mr. Jefferson it found a ready and efficient opponent at the

time, and he has devoted to its consideration and censure, a few pages of his later works.

But the chief service which Mr. Jefferson performed as a member of the legislature, was as one of a commission for revising the laws, consisting, besides himself, of Edmund Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee, by whom no less than one hundred and twenty-six bills were prepared, from which are derived all the most liberal features of the existing laws of the commonwealth. The share of Mr. Jefferson in this great task was prominent and laborious. To him Virginia is indebted for the laws prohibiting the future importation of slaves; converting estates tail into fee simple; annulling the rights of primogeniture; establishing schools for general education; sanctioning the right of expatriation, and confirming the rights of freedom in religious opinion; which were all introduced by him, and were adopted at the time they were first proposed, or at a subsequent period; and in addition to these, he brought forward a law proportioning crimes and punishments, which was afterwards passed under a different modification.

His own account of the passage of some of these laws, the evils they were intended to remedy, and the opposition they overcame, must be gratifying to those who are concerned in the fame of their author. We have his own description. First, in relation to the law declaring tenants in tail to hold in fee simple. "In the earlier times of the colony," he informs us, "when lands were to be obtained for little or nothing, some provident individuals procured large grants; and desirous of founding great families for themselves, settled

them on their descendants in fee tail. The transmission of this property from generation to generation, in the same name, raised up a distinct set of families, who, being privileged by law in the perpetuation of their wealth, were thus formed into a Patrician order, distinguished by the splendour and luxury of their establishments. From this order, too, the King habitually selected his counsellors of state; the hope of which distinction devoted the whole corps to the interests and will of the crown. To annul this privilege, and instead of an aristocracy of wealth, of more harm and danger than benefit to society, to make an opening for the aristocracy of virtue and talent, which nature has wisely provided for the direction of the interests of society, and scattered with equal hand through all its conditions, was deemed essential to a well ordered republic. To effect it, no violence was necessary, no deprivation of natural right, but rather an enlargement of it by a repeal of the law. For this would authorize the present holder to divide the property among his children equally, as his affections were divided; and would place them, by natural generation, on the level of their fellow citizens. But this repeal was strongly opposed by Mr. Pendleton, who was zealously attached to ancient establishments; and who, taken all in all, was the ablest man in debate I have ever met with. He had not, indeed, the poetical fancy of Mr. Henry, his sublime imagination, his lofty and overwhelming diction; but he was cool, smooth, and persuasive; his language flowing, chaste, and embellished; his conceptions quick, acute, and full of resource; never vanquished; for if he lost the main bat-

tle, he returned upon you, and regained so much of it as to make it a drawn one, by dexterous manoeuvres, skirmishes in detail, and the recovery of small advantages, which, little singly, were important all together. You never knew when you were clear of him, but were harassed by his perseverance, until the patience was worn down of all who had less of it than himself.—Add to this, that he was one of the most virtuous and benevolent of men, the kindest friend, the most amiable and pleasant of companions, which ensured a favourable reception to whatever came from him. Finding that the general principle of entails could not be maintained, he took his stand on an amendment which he proposed, instead of an absolute abolition, to permit the tenant in tail to convey in fee simple, if he chose it: and he was within a few votes of saving so much of the old law. But the bill passed finally for entire abolition.

“In that one of the bills for organizing our judiciary system which proposed a court of chancery, I had provided for a trial by jury of all matters of fact, in that as well as in the courts of law. He defeated it by the introduction of four words only—*if either party choose*. The consequence has been, that as no suitor will say to his judge—*Sir, I distrust you, give me a jury*—juries are rarely, I might say perhaps never, seen in that court, but when called for by the Chancellor of his own accord.”

As it respects the prohibiting the future importation of slaves, he continues: “The first establishment in Virginia, which became permanent, was made in 1607. have found no mention of negroes in the colony un-

til about 1650. The first brought here as slaves, were by a Dutch ship; after which, the English commenced the trade, and continued it until the revolutionary war. That suspended, *ipso facto*, their further importation for the present, and the business of the war pressing constantly on the legislature, this subject was not acted on finally until the year '78, when I brought in a bill to prevent their further importation. This passed without opposition, and stopped the increase of the evil by importation, leaving to future efforts its final eradication."

As it regards the free exercise of opinion in matters of religion, he remarks: "The first settlers of this colony were Englishmen, loyal subjects to their King and church; and the grant to Sir Walter Raleigh contained an express proviso, that their laws should not be against the true Christian faith, now professed in the church of England. As soon as the state of the colony admitted, it was divided into parishes, in each of which was established a minister of the Anglican church, endowed with a fixed salary, in tobacco, a glebe house and land, with the other necessary appendages. To meet these expenses, all the inhabitants of the parishes were assessed, whether they were or not members of the established church. Towards Quakers, who came here, they were most cruelly intolerant, driving them from the colony by the severest penalties. In process of time, however, other sectarisms were introduced, chiefly of the Presbyterian family; and the established clergy, secure for life in their glebes and salaries, adding to these, generally, the emoluments of a classical school, found employment

enough in their farms and school-rooms for the rest of the week, and devoted Sunday only to the edification of their flock, by service, and a sermon at their parish church. Their other pastoral functions were little attended to. Against this inactivity, the zeal and industry of sectarian preachers had an open and undisputed field; and by the time of the revolution, a majority of the inhabitants had become dissenters from the established church, but were still obliged to pay contributions to support the pastors of the minority. This unrighteous compulsion to maintain teachers of what they deemed religious errors, was grievously felt during the regal government, and without a hope of relief. But the first republican legislature, which met in '76, was crowded with petitions to abolish this spiritual tyranny. These brought on the severest contests in which I have ever been engaged. Our great opponents were Mr. Pendleton and Robert Carter Nicholas; honest men, but zealous churchmen. The petitions were referred to the committee of the whole house on the state of the country; and, after desperate contests in that committee, almost daily, from the 11th of October to the 5th of December, we prevailed so far only as to repeal the laws which rendered criminal the maintenance of any religious opinions, the forbearance of repairing to church, or the exercise of any mode of worship: and further, to exempt dissenters from contributions to the support of the established church; and to suspend, only until the next session, levies on the members of the church for the salaries of their own incumbents. For although the majority of our citizens were dissenters, as has been observed, a majority

of the legislature were churchmen. Among these, however, were some reasonable and liberal men, who enabled us, on some points, to obtain feeble majorities. But our opponents carried, in the general resolutions of the committee of November 19, a declaration, that religious assemblies ought to be regulated, and that provision ought to be made for continuing the succession of the clergy, and superintending their conduct. And in the bill now passed, was inserted an express reservation of the question, Whether a general assessment should not be established by law, on every one, to the support of the pastor of his choice; or whether all should be left to voluntary contributions: and on this question, debated at every session from '76 to '79, (some of our dissenting allies, having now secured their particular object, going over to the advocates of a general assessment,) we could only obtain a suspension from session to session until '79, when the question against a general assessment was finally carried, and the establishment of the Anglican church entirely put down. In justice to the two honest but zealous opponents whom I have named, I must add, that although, from their natural temperaments, they were more disposed generally to acquiesce in things as they are, than to risk innovations; yet, whenever the publick will had once decided, none were more faithful or exact in their obedience to it."

Early in the session of May, '79, Mr. Jefferson prepared and obtained leave to bring in a bill, declaring who should be deemed citizens, asserting the natural right of expatriation, and prescribing the mode of exercising it. This, when he withdrew from the house

on the 1st of June following, he left in the hands of George Mason, and it was passed on the 26th of that month.

Of this gentleman Mr. Jefferson speaks in the highest terms; describing him as "a man of the first order of wisdom among those who acted on the theatre of the revolution, of expansive mind, profound judgement, cogent in argument, learned in the lore of our former constitution, and earnest for the republican change, on democrattick principles. His elocution was neither flowing nor smooth; but his language was strong, his manner most impressive, and strengthened by a dash of biting cynicism, when provocation made it seasonable."

After reading the above, let it be decided whether Jefferson deserved the epithets bestowed upon him in days of party bitterness, as being a visionary enthusiast, or whether he is more worthy of being considered as an ardent friend of rational freedom, and an able and enlightened legislator.

Mr. Jefferson's estimate of the powers of Mr. Madison, and his opinion of his character, are also so just, so true, and so honourable to both, that we present them to the reader. "Mr. Madison," says his friend and admirer, "came into the House in 1776, a new member, and young; which circumstances, concurring with his extreme modesty, prevented his venturing himself in debate before his removal to the Council of State, in November, '77. From thence he went to Congress, then consisting of few members. Trained in these successive schools, he acquired a habit of self-possession, which placed at ready command the rich resour-

ces of his luminous and discriminating mind, and of his extensive information, and rendered him the first of every assembly afterwards of which he became a member. Never wandering from his subject into vain declamation, but pursuing it closely, in language pure, classical, and copious, soothing always the feelings of his adversaries by civilities and softness of expression, he rose to the eminent station which he held in the great National Convention of 1787; and in that of Virginia, which followed, he sustained the new constitution in all its parts, bearing off the palm against the logick of George Mason, and the fervid declamation of Mr. Henry. With these consummate powers, was united a pure and spotless virtue, which no calumny has ever attempted to sully. Of the powers and polish of his pen, and of the wisdom of his administration in the highest office of the nation, I need say nothing. They have spoken, and will for ever speak for themselves." Certainly, such eulogy, and from such a pen, is sufficient recompense for a life well spent.

While on this subject, and as the opinion of Mr. Jefferson is of so great weight as to guide the faith of thousands, we subjoin his account of three others, not only prominent men in Congress, but the most zealous and active supporters of the rights of their country, both before and during the revolutionary struggle.—His sentiments are the result of personal and frequent observation, and are delivered with a candour which could "bear a rival near the throne."

"Dr. FRANKLIN had many political enemies, as every character must, which, with decision enough to have opinions, has energy and talent to give them ef-

fect on the feelings of those of the adversary opinion. These enmities were chiefly in Pennsylvania and Massachusetts. In the former, they were merely of the proprietary party; in the latter, they did not commence till the revolution, and then sprung chiefly from personal animosities, which spreading by little and little, became, at length, of some extent. As to the charge of subservience to France, besides the evidence of his friendly colleagues, two years of my own service with him at Paris, daily visits, and the most friendly and confidential communications, convince me it had not a shadow of foundation. He possessed the confidence of that government in the highest degree, insomuch, that it may truly be said, that they were more under his influence, than he under theirs. The fact is, that his temper was so amiable and conciliatory, his conduct so rational, never urging impossibilities or even things unreasonably inconvenient to them; in short, so moderate and attentive to their difficulties as well as our own, that what his enemies call subserviency, I saw was only that reasonable disposition, which, sensible that advantages are not all to be on one side, yielding what is just and reasonable, is the more certain of obtaining liberality and justice. Mutual confidence produces, of course, mutual influence; and this was all which subsisted between Dr. Franklin and the government of France.

"Of SAMUEL ADAMS, I can say that he was truly a great man; wise in council, fertile in resources, immoveable in his purposes, and had, I think, a greater share than any other member in advising and directing our measures in the northern war. As a speaker,

he could not be compared with his living colleague and namesake, whose deep conceptions, nervous style, and undaunted firmness, made him truly our bulwark in debate. But Mr. Samuel Adams, although not of fluent elocution, was so rigorously logical, so clear in his views, abundant in good sense, and master always of his subject, that he commanded the most profound attention whenever he rose in an assembly, by which the froth of declamation was heard with the most sovereign contempt.

"You know the opinion I formerly entertained of my friend, Mr. JOHN ADAMS. I afterwards saw proofs which convicted him of a degree of vanity and of a blindness to it of which no germe then appeared. He is vain, irritable, and a bad calculator of the force and probable effect of the motives which govern men.— This is all the ill which can possibly be said of him. He is as disinterested as the Being who made him; he is profound in his views, and accurate in his judgement, except where knowledge of the world is necessary to form a judgement. He is so amiable, that I pronounce you will love him if ever you become acquainted with him. He would be, as he was, a great man in Congress."

But it was not to the revision of the laws of his state, or other laborious publick duties, that Mr. Jefferson entirely devoted himself. He at this time, in a noble manner, displayed the sternness of his justice, the purity of his heart, and the softness of his feelings, by deprecating all cruelty to a fallen foe, and by extending a hand of charity to the foiled ravagers of his country. His sympathies were excited by proposed wrong

to the unfortunate, and he gave his indignant, powerful, and successful pen to their assistance.

Congress, it will be recollected, had resolved to retain in America the troops who had surrendered at Saratoga, until the terms of capitulation, which had been entered into by the British general, were duly ratified by, and obtained from, his government. Until this was done and received, it was thought expedient to remove them into the interior of the country; and the neighbourhood of Charlottesville, in Virginia, was selected as the place of their residence.

"There they arrived early in the year 1779. The winter was uncommonly severe; the barracks unfinished for want of labourers; no sufficient stores of bread laid in; and the roads rendered impassable by the inclemency of the weather and the number of wagons which had lately traversed them." Mr. Jefferson, aided by Mr. Hawkins, the commissary general, and the benevolent disposition of his fellow citizens, adopted every plan to alleviate the distresses of the troops, and to soften, as much as possible, the hardships of captivity. Their efforts were attended with success. The officers who were able to command money rented houses and small farms in the neighbourhood, while the soldiers enlarged the barracks and improved their accommodations, so as in a short time to form a little community, flourishing and happy. These arrangements had scarcely been completed, when, in consequence of a power lodged in them by Congress, the Governour and Council of Virginia determined to remove the prisoners to another state, or to another part of the same state. This intention was heard by the

captives with distress. Mr. Jefferson immediately addressed a letter to Governour Henry, in which he stated the impolicy, impropriety, and cruelty of such a measure.

But we will give this admirable letter to the reader. It speaks so well for the writer, is so illustrative of the more amiable traits of his character, is so correct in sentiment and glowing in language, and was finally so powerful in effect, that it would be an inexcusable omission in the memoirs of his life. Its incidents will repay perusal, while no tedium can affect the patience.

TO HIS EXCELLENCY PATRICK HENRY.

Albemarle, March 27, 1779.

SIR,

A report prevailing here, that in consequence of some powers from Congress, the Governour and Council have it in contemplation to remove the Convention troops, either wholly or in part, from their present situation, I take the liberty of troubling you with some observations on that subject. The reputation and interest of our country, in general, may be affected by such a measure; it would, therefore, hardly be deemed an indecent liberty in the most private citizen, to offer his thoughts to the consideration of the Executive.—The locality of my situation, particularly in the neighbourhood of the present barracks, and the publick relation in which I stand to the people among whom they are situated, together with a confidence, which a personal knowledge of the members of the Executive gives me, that they will be glad of information from any quarter, on a subject interesting to the publick,

induce me to hope that they will acquit me of impropriety in the present representation.

By an article in the Convention of Saratoga, it is stipulated, on the part of the United States, that the officers shall not be separated from their men. I suppose the term *officers*, includes *general* as well as *regimental* officers. As there are general officers who command all the troops, no part of them can be separated from these officers without a violation of the article: they cannot, of course, be separated from one another, unless the same general officer could be in different places at the same time. It is true, the article adds the words, "as far as circumstances will admit." This was a necessary qualification; because, in no place in America, I suppose, could there have been found quarters for both officers and men together; those for the officers to be according to their rank.—So far, then, as the circumstances of the place where they should be quartered, should render a separation necessary, in order to procure quarters for the officers, according to their rank, the article admits that separation. And these are the circumstances which must have been under the contemplation of the parties; both of whom, and all the world beside, (who are ultimate judges in the case,) would still understand that they were to be as near in the environs of the camp as convenient quarters could be procured; and not that the qualification of the article destroyed the article itself, and laid it wholly at our discretion. Congress, indeed, have admitted of this separation; but are they so far lords of right and wrong as that our consciences may be quiet with their dispensation? Or is the case

amended by saying they leave it optional in the Governour and Council to separate the troops or not? At the same time that it exculpates not them, it is drawing the Governour and Council into a participation in the breach of faith. If, indeed, it is only proposed, that a separation of the troops shall be referred to the consent of their officers; that is a very different matter. Having carefully avoided conversation with them on publick subjects, I cannot say, of my own knowledge, how they would relish such a proposition. I have heard from others, that they will choose to undergo any thing together, rather than to be separated, and that they will remonstrate against it in the strongest terms. The Executive, therefore, if voluntary agents in this measure, must be drawn into a paper war with them, the more disagreeable, as it seems that faith and reason will be on the other side. As an American, I cannot help feeling a thorough mortification, that our Congress should have permitted an infraction of our publick honour; as a citizen of Virginia, I cannot help hoping and confiding, that our supreme Executive, whose acts will be considered as the acts of the commonwealth, estimate that honour too highly to make its infraction their own act. I may be permitted to hope, then, that if any removal takes place, it will be a general one: and as it is said to be left to the Governour and Council to determine on this, I am satisfied that, suppressing every other consideration, and weighing the matter dispassionately, they will determine upon this sole question, Is it for the benefit of those for whom they act, that the Convention troops should be removed from among them? Under the

enough in their farms and school-rooms for the rest of the week, and devoted Sunday only to the edification of their flock, by service, and a sermon at their parish church. Their other pastoral functions were little attended to. Against this inactivity, the zeal and industry of sectarian preachers had an open and undisputed field; and by the time of the revolution, a majority of the inhabitants had become dissenters from the established church, but were still obliged to pay contributions to support the pastors of the minority. This unrighteous compulsion to maintain teachers of what they deemed religious errors, was grievously felt during the regal government, and without a hope of relief. But the first republican legislature, which met in '76, was crowded with petitions to abolish this spiritual tyranny. These brought on the severest contests in which I have ever been engaged. Our great opponents were Mr. Pendleton and Robert Carter Nicholas; honest men, but zealous churchmen. The petitions were referred to the committee of the whole house on the state of the country; and, after desperate contests in that committee, almost daily, from the 11th of October to the 5th of December, we prevailed so far only as to repeal the laws which rendered criminal the maintenance of any religious opinions, the forbearance of repairing to church, or the exercise of any mode of worship: and further, to exempt dissenters from contributions to the support of the established church; and to suspend, only until the next session, levies on the members of the church for the salaries of their own incumbents. For although the majority of our citizens were dissenters, as has been observed, a majority

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of the legislature were churchmen. Among these, however, were some reasonable and liberal men, who enabled us, on some points, to obtain feeble majorities. But our opponents carried, in the general resolutions of the committee of November 19, a declaration, that religious assemblies ought to be regulated, and that provision ought to be made for continuing the succession of the clergy, and superintending their conduct. And in the bill now passed, was inserted an express reservation of the question, Whether a general assessment should not be established by law, on every one, to the support of the pastor of his choice; or whether all should be left to voluntary contributions: and on this question, debated at every session from '76 to '79, (some of our dissenting allies, having now secured their particular object, going over to the advocates of a general assessment,) we could only obtain a suspension from session to session until '79, when the question against a general assessment was finally carried, and the establishment of the Anglican church entirely put down. In justice to the two honest but zealous opponents whom I have named, I must add, that although, from their natural temperaments, they were more disposed generally to acquiesce in things as they are, than to risk innovations; yet, whenever the publick will had once decided, none were more faithful or exact in their obedience to it."

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enough in their farms and school-rooms for the rest of the week, and devoted Sunday only to the edification of their flock, by service, and a sermon at their parish church. Their other pastoral functions were little attended to. Against this inactivity, the zeal and industry of sectarian preachers had an open and undisputed field; and by the time of the revolution, a majority of the inhabitants had become dissenters from the established church, but were still obliged to pay contributions to support the pastors of the minority. This unrighteous compulsion to maintain teachers of what they deemed religious errors, was grievously felt during the regal government, and without a hope of relief. But the first republican legislature, which met in '76, was crowded with petitions to abolish this spiritual tyranny. These brought on the severest contests in which I have ever been engaged. Our great opponents were Mr. Pendleton and Robert Carter Nicholas; honest men, but zealous churchmen. The petitions were referred to the committee of the whole house on the state of the country; and, after desperate contests in that committee, almost daily, from the 11th of October to the 5th of December, we prevailed so far only as to repeal the laws which rendered criminal the maintenance of any religious opinions, the forbearance of repairing to church, or the exercise of any mode of worship: and further, to exempt dissenters from contributions to the support of the established church; and to suspend, only until the next session, levies on the members of the church for the salaries of their own incumbents. For although the majority of our citizens were dissenters, as has been observed, a majority

of the legislature were churchmen. Among these, however, were some reasonable and liberal men, who enabled us, on some points, to obtain feeble majorities. But our opponents carried, in the general resolutions of the committee of November 19, a declaration, that religious assemblies ought to be regulated, and that provision ought to be made for continuing the succession of the clergy, and superintending their conduct. And in the bill now passed, was inserted an express reservation of the question, Whether a general assessment should not be established by law, on every one, to the support of the pastor of his choice; or whether all should be left to voluntary contributions: and on this question, debated at every session from '76 to '79, (some of our dissenting allies, having now secured their particular object, going over to the advocates of a general assessment,) we could only obtain a suspension from session to session until '79, when the question against a general assessment was finally carried, and the establishment of the Anglican church entirely put down. In justice to the two honest but zealous opponents whom I have named, I must add, that although, from their natural temperaments, they were more disposed generally to acquiesce in things as they are, than to risk innovations; yet, whenever the publick will had once decided, none were more faithful or exact in their obedience to it."

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isfactory to them. In order to do this, they were obliged, in many instances, to hire houses for a year certain, and at such exorbitant rents, as were sufficient to tempt independent owners to go out of them, and shift as they could. These houses, in most cases, were much out of repair. They have repaired them at a considerable expense. One of the general officers has taken a place for two years, advanced the rent for the whole time, and been obliged, moreover, to erect additional buildings for the accommodation of part of his family, for which there was not room in the house rented. Independent of the brick work, for the carpentry of these additional buildings, I know he is to pay fifteen hundred dollars. The same gentleman, to my knowledge, has paid to one person, three thousand six hundred and seventy dollars, for different articles to fix himself commodiously. They have generally laid in their stocks of grain and other provisions, for it is well known that officers do not live on their rations. They have purchased cows, sheep, &c., set in to farming, prepared their gardens, and have a prospect of comfort and quiet before them. To turn to the soldiers: the environs of the barracks are delightful, the ground cleared, laid off in hundreds of gardens, each enclosed in its separate paling; these well prepared, and exhibiting a fine appearance. General Riedesel, alone, laid out upwards of two hundred pounds in garden seeds, for the German troops only. Judge what an extent of ground these seeds would cover. There is little doubt that their own gardens will furnish them a great abundance of vegetables through the year.— Their poultry, pigeons, and other preparations of that

kind, present to the mind the idea of a company of farmers, rather than a camp of soldiers. In addition to the barracks built for them by the publick, and now very comfortable, they have built great numbers for themselves, in such messes as fancied each other: and the whole corps, both officers and men, seem now happy and satisfied with their situation. Having thus found the art of rendering captivity itself comfortable, and carried it into execution, at their own great expense and labour, their spirit sustained by the prospect of gratifications rising before their eyes, does not every sentiment of humanity revolt against the proposition of stripping them of all this, and removing them into new situations, where, from the advanced season of the year, no preparations can be made for carrying themselves comfortably through the heats of summer; and when it is known that the necessary advances for the conveniences already provided, have exhausted their funds and left them unable to make the like exertions anew? Again; review this matter as it may regard appearances. A body of troops, after staying a twelvemonth at Boston, are ordered to take a march of seven hundred miles to Virginia, where, it is said, they may be plentifully subsisted. As soon as they are there, they are ordered on some other march, because, in Virginia, it is said, they cannot be subsisted. Indifferent nations will charge this either to ignorance or to whim and caprice; the parties interested, to cruelty. They now view the proposition in that light, and it is said, there is a general and firm persuasion among them, that they were marched from Boston with no other purpose than to harass and destroy them with

eternal marches. Perseverance in object, though not by the most direct way, is often more laudable than perpetual changes, as often as the object shifts light. A character of steadiness in our councils is worth more than the subsistence of four thousand people.

There could not have been a more unlucky concurrence of circumstances than when these troops first came. The barracks were unfinished for want of labourers, the spell of weather the worst ever known within the memory of man, no stores of bread laid in, the roads, by the weather and number of wagons, soon rendered impassable: not only the troops themselves were greatly disappointed, but the people in the neighbourhood were alarmed at the consequences which a total failure of provisions might produce. In this worst state of things, their situation was seen by many and disseminated through the country, so as to occasion a general dissatisfaction, which even seized the minds of reasonable men, who, if not infected with the contagion, must have foreseen that the prospect must brighten, and that great advantages to the people must necessarily arise. It has, accordingly, so happened. The planters, being more generally sellers than buyers, have felt the benefit of their presence in the most vital part about them, their purses, and are now sensible of its source. I have too good an opinion of their love of order, to believe that a removal of these troops would produce any irregular proofs of their disapprobation, but I am well assured it would be extremely odious to them.

To conclude. The separation of these troops would be a breach of publick faith; therefore I suppose it im-

possible. If they are removed to another state, it is the fault of the commissaries; if they are removed to any other part of the state, it is the fault of the commissaries; and in both cases, the publick interest and publick security suffer, the comfortable and plentiful subsistence of our own army is lessened, the health of the troops neglected, their wishes crossed, and their comforts torn from them, the character of whim and caprice, or, what is worse, of cruelty, fixed on us as a nation, and, to crown the whole, our own people disgusted with such a proceeding.

I have thus taken the liberty of representing to you the facts and the reasons which seem to militate against the separation or removal of these troops. I am sensible, however, that the same subject may appear to different persons in very different lights. What I have urged as reasons, may, to sounder minds, be apparent fallacies. -I hope they will appear, at least, so plausible, as to excuse the interposition of

your Excellency's
most obedient

and most humble servant,

TH: JEFFERSON.

It needs no assurance from us to our readers that this appeal was entirely successful; nor was it ever forgotten by those unfortunate captives from whom it averted tyranny, and for whose security and comfort it was penned. They duly appreciated his kindness and generosity, and their attachment and gratitude were lasting; and in his subsequent travels through Europe, when chance again threw him in their socie-

ty, they loaded him with civility and kindness, and spoke to their countrymen in warm terms of the hospitality of Virginia. When about to leave Charlottesville, the principal officers wrote to him, to renew their thanks, and to bid him adieu; the answer of Mr. Jefferson to one of them has been preserved. "The little attentions," he says, "you are pleased to magnify so much, never deserved a mention or a thought. Opposed as we happen to be in our sentiments of duty and honour, and anxious for contrary events, I shall, nevertheless, sincerely rejoice in every circumstance of happiness and safety which may attend you personally."

To another of them he thus wrote :

"The very small amusements which it has been in my power to furnish, in order to lighten your heavy hours, by no means merited the acknowledgments you make. Their impression must be ascribed to your extreme sensibility, rather than to their own weight. When the course of events shall have removed you to distant scenes of action, where laurels not moistened with the blood of my country, may be gathered, I shall urge my sincere prayers for your obtaining every honour and preferment which may gladden the heart of a soldier. On the other hand, should your fondness for philosophy resume its merited ascendancy, is it impossible to hope that this unexplored country may tempt your residence, by holding out materials wherewith to build a fame, founded on the happiness, and not on the calamities of human nature? Be this as it may, a philosopher or a soldier, I wish you personally many felicities."

CHAPTER III.

ON the first of June, 1779, Mr. Jefferson was appointed Governour of the commonwealth of Virginia, and retired from the legislature. Being elected also one of the Visitors of William and Mary College, a self-electing body, he effected during his residence in Williamsburgh that year, a change in the organization of that institution, by abolishing the grammar school, and the two professorships of Divinity and Oriental Languages, and substituting a professorship of Law and Police; one of Anatomy, Medicine, and Chymistry; and one of Modern Languages; and the charter being confined to six professorships, the Visitors added the Law of Nature and Nations and the Fine Arts to the duties of the Moral professor, and Natural History to those of the professor of Mathematicks and Natural Philosophy.

"Being now," says he, "as it were identified with the commonwealth itself, to write my own history, during the two years of my administration, would be to write the publick history of that portion of the revolution within this state." We must, therefore, rely upon cotemporary history, and his own letters, for a relation of those events in which he was more personally concerned, and which occurred during his administration of the government.

Mr. Jefferson was the second republican Governour of Virginia, he having been chosen to succeed the celebrated Patrick Henry, whose term of service had expired. The time of his accession was one at which its duties were no less trying than arduous and difficult; it was at that period of the war when the British government, exasperated by the long protraction of hostilities, and goaded by their continual defeats, increased the usual horrors of warfare, by the persecution of the wretched prisoners who fell into their hands. The Governour of Virginia, among others, promptly expressed his determination to adopt, as the only resource against a system of warfare so barbarous and unheard of, a retaliation on the British prisoners in his power.

Among the persons most conspicuous in these infamous transactions, was Henry Hamilton, Esq. who acted as Lieutenant Governour of the settlement at and about Detroit, and commandant of the British garrison there, under Sir Guy Carleton as Governour in chief. He had not only induced and instigated the Indians to their butcheries on the frontiers, but had treated all prisoners in his power with unprecedented severity. This gentleman, on the fifth of December, 1778, had possessed himself of post St. Vincenne, with the intention of attacking Kaskaskia in Illinois, and which there was no doubt of his carrying. There he expected to be joined by two hundred Indians from Michilimackinack, and five hundred Cherokees, Chickasaws, and other nations.] With this body he was to penetrate up the Ohio to Fort Pitt, sweeping Kentucky on his way, having light brass cannon for

the purpose, and expecting to be joined on the march by numerous bodies of Indians. With this force, he made no doubt that he could force all West Augusta.

"Colonel Clarke, a brave and able officer of Virginia, was then in Kaskaskia with a small body of men, and made every preparation for resisting the expected attack. However, there was no hope of his holding out, and his destruction seemed inevitable. In the gloom of this despair, a Spanish merchant, who had been at St. Vincenne, arrived, and gave the following intelligence: That Mr. Hamilton had weakened himself by sending his Indians against the frontiers, and to block up the Ohio; that he had not more than eighty men in garrison, three pieces of cannon, and some swivels mounted; and that he intended to attack Kaskaskia as soon as the winter opened, and made no doubt of clearing the western waters by the fall. On this information, Colonel Clarke, with a promptitude that did him honour, and which his situation and circumstances justified, resolved upon becoming the assailant, and to attack him before he could collect his Indians again. The resolution was as desperate as his situation, but there was no other probability of securing the country. He accordingly despatched a small galley which he had fitted up, mounting two four-pounders and four swivels, with a company of men and necessary stores on board, with orders to force her way, if possible, and station herself a few miles below the enemy, suffering nothing to pass her, and wait for further orders. In the mean time, he himself marched across the country with one hundred and thirty men, being all he could raise, and leaving Kaskaskia garrisoned by the

militia. He marched on the 7th of February, and was sixteen days on the route; while the inclemency of the season, high waters, &c. seemed to threaten the loss of the expedition. When within three leagues of the enemy, in a direct line, it took them five days to cross the drowned lands of the Wabash river, having to wade often upwards of two leagues to their breast in water. Had not the weather been warm, they must have perished! But on the evening of the 23d, they got on dry land, in sight of the enemy; and at seven o'clock made an attack, as totally unforeseen by them as it must have been unexpected. The town immediately surrendered with joy, and assisted in the siege. There was a continual fire on both sides for eighteen hours. The moon setting about one o'clock, the Colonel had an entrenchment thrown up within rifle shot of their strongest battery, and poured such incessant showers of well-directed balls into their ports, that they silenced two pieces of cannon in fifteen minutes, without getting a man hurt.

"Governour Hamilton and Colonel Clarke had, on the following day, several conferences, but did not agree until the evening, when the former agreed to surrender the garrison (seventy-nine in number) prisoners of war, with considerable stores. Clarke had only one man wounded, "for," says the Colonel with no little *naïveté*, "not being able to lose many, I made them secure themselves well."

"On the reception of these prisoners, the Governour of Virginia in Council determined, that Hamilton and two of his coadjutors should be ironed and confined in the dungeon of the publick jail, as, in some measure, a

retaliation for the treatment American prisoners had received and were daily receiving at the hands of the enemy.

An enumeration of the offences of this Hamilton, as exhibited by the Council, will give some faint idea of the manner in which the war was then carried on, and will be an ample justification of Mr. Jefferson for the apparent harshness of his proceedings.

" In Council, June 18th, 1779.

" The board proceeded to the consideration of the letters of Colonel Clarke, and other papers relating to Henry Hamilton, Esq. who has acted for some years past as Lieutenant Governour of the settlement at and about Detroit, and commandant of the British garrison there, under Sir Guy Carleton as Governour in chief; Philip Dejean, justice of the peace for Detroit, and William Lamothe, captain of volunteers, prisoners of war, taken in the county of Illinois.

" They find that Governour Hamilton has executed the task of inciting the Indians to perpetrate their accustomed cruelties on the citizens of the United States, without distinction of age, sex, or condition, with an eagerness and avidity which evince, that the general nature of his charge harmonized with his particular disposition. They should have been satisfied, from the other testimony adduced, that these enormities were committed by savages acting under his commission; but the number of proclamations which, at different times, were left in houses, the inhabitants of which were killed or carried away by the Indians, one of which proclamations is in possession of the board, un-

der the hand and seal of Governour Hamilton, puts this fact beyond a doubt. At the time of his captivity, it appears, he had sent considerable bodies of Indians against the frontier settlements of these states, and had actually appointed a great council of Indians, to meet him at Tennessee, to concert the operations of this present campaign. They find that his treatment of our citizens and soldiers, taken and carried within the limits of his command, has been cruel and inhuman; that in the case of John Dodge, a citizen of these states, which has been particularly stated to this board, he loaded him with irons, threw him into a dungeon, without bedding, without straw, without fire, in the dead of winter, and severe climate of Detroit; that in that state, he wasted him with incessant expectations of death; that when the rigours of his situation had brought him so low that death seemed likely to withdraw him from their power, he was taken out and somewhat attended to, until a little mended, and before he had recovered ability to walk, was again returned to his dungeon, in which a hole was cut seven inches square only for the admission of air, and the same load of irons again put on him; that appearing, a second time, in imminent danger of being lost to them, he was again taken from his dungeon, in which he had lain from January till June, with the intermission of a few weeks only, before mentioned. That Governour Hamilton gave standing rewards for scalps, but offered none for prisoners, which induced the Indians, after making their captives carry their baggage into the neighbourhood of the fort, there to put them to death, and carry in their scalps to the Governour, who welcomed their

return and success by a discharge of cannon. That when a prisoner, brought alive, and destined to death by the Indians, the fire already kindled, and himself bound to the stake, was dexterously withdrawn, and secreted from them by the humanity of a fellow prisoner, a large reward was offered for the recovery of the victim, which having tempted a servant to betray his concealment, the present prisoner Dejean, being sent with a party of soldiers, surrounded the house, took and threw into jail the unhappy victim and his deliverer, where the former soon expired, under the perpetual assurances of Dejean that he was to be again restored into the hands of the savages; and the latter, when enlarged, was bitterly reprimanded by Governour Hamilton.

"It appears to them that the prisoner Dejean was, on all occasions, the willing and cordial instrument of Governour Hamilton, acting both as judge and keeper of the jails, and instigating and urging him, by malicious insinuations and untruths, to increase rather than to relax his severities, heightening the cruelty of his orders by his manner of executing them, offering at one time a reward to one man to be hangman for another, threatening his life on refusal, and taking from his prisoners their little property their opportunities enabled them to acquire.

"It appears that the prisoner Lamothe was a captain of the volunteer scalping parties of Indians and whites, who went, from time to time, under general orders to spare neither men, women, nor children. From this detail of circumstances, which arose in a few cases only, coming accidentally to the knowledge of the

board, they think themselves authorized, by fair deduction, to presume what would be the horrid history of the sufferings of the many who have expired under their miseries, (which therefore will remain for ever untold,) or who have escaped from them, and are yet too remote and too much dispersed to bring together their well-founded accusations against the prisoners.

“ They have seen that the conduct of the British officers, civil and military, has, in the whole course of this war, been savage, and unprecedented among civilized nations; that our officers taken by them have been confined in crowded jails, loathsome dungeons, and prison-ships, loaded with irons, supplied often with no food, generally with too little for the sustenance of nature, and that little sometimes unsound and unwholesome, whereby such numbers have perished, that captivity and death have with them been almost synonymous; that they have been transported beyond seas, where their fate is out of the reach of our inquiry, have been compelled to take up arms against their country, and by a refinement in cruelty, to become murderers of their own brethren.

“ Their prisoners with us have, on the other hand, been treated with humanity and moderation; they have been fed, on all occasions, with wholesome and plentiful food, suffered to go at large within extensive tracts of country, treated with liberal hospitality, permitted to live in the families of our citizens, to labour for themselves, to acquire and enjoy profits, and, finally, to participate of the principal benefits of society, privileged from all burdens.

“ Reviewing this contrast, which cannot be denied by

our enemies themselves in a single point, and which has now been kept up during four years of unremitting war, a term long enough to produce well founded despair that our moderation may ever lead them to the practice of humanity ; called on by that justice we owe to those who are fighting the battles of our country, to deal out, at length, miseries to their enemies, measure for measure, and to distress the feelings of mankind by exhibiting to them spectacles of severe retaliation, where we had long and vainly endeavoured to introduce an emulation in kindness ; happily possessed, by the fortune of war, of some of those very individuals who, having distinguished themselves personally in this line of cruel conduct, are fit subjects to begin on, with the work of retaliation ; this board has resolved to advise the Governour, that the said Henry Hamilton, Philip Dejean, and William Lamothe, prisoners of war, be put in irons, confined in the dungeon of the publick jail, debarred the use of pen, ink, and paper, and excluded all converse except with their keeper.— And the Governour orders accordingly.”

These orders were carried into rigorous and well-deserved execution, and against which, as will appear from the following letter, General Phillips, the British commanding officer in Virginia, most earnestly remonstrated :

TO HIS EXCELLENCY GENERAL WASHINGTON.

Williamsburgh, July 17, 1779.

SIR,

I some time ago enclosed to you a printed copy of an order of Council, by which Governour Hamilton,

was to be confined in irons, in close jail, which has occasioned a letter from General Phillips, of which the enclosed is a copy. The General seems to think that a prisoner on capitulation cannot be put in close confinement, though his capitulation should not have provided against it. My idea was, that all persons taken in war, were to be deemed prisoners of war. That those who surrender on capitulation (or convention) are prisoners of war also, subject to the same treatment with those who surrender at discretion, except only so far as the terms of their capitulation or convention shall have guarded them. In the capitulation of Governour Hamilton, no stipulation is made as to the treatment of himself, or those taken with him. The Governour, indeed, when he signs, adds a flourish of reasons inducing him to capitulate, one of which is the generosity of his enemy. Generosity, on a large and comprehensive scale, seems to dictate the making a signal example of this gentleman; but waiving that, these are only the private motives inducing him to surrender, and do not enter into the contract of Colonel Clarke. I have the highest idea of those contracts which take place between nation and nation, at war, and would be the last on earth to do any thing in violation of them. I can find nothing in those books usually recurred to as testimonials of the laws and usages of nature and nations, which convicts the opinions I have above expressed of error. Yet there may be such an usage as General Phillips seems to suppose, though not taken notice of by these writers. I am obliged to trouble your Excellency on this occasion, by asking of you information on this point. There is no other person, whose decision will

so authoritatively decide this doubt in the publick mind, and none with which I am disposed so implicitly to comply. If you shall be of opinion that the bare existence of a capitulation, in the case of Governour Hamilton, privileges him from confinement, though there be no article to that effect in the capitulation, justice shall most assuredly be done him. The importance of this point, in a publick view, and my own anxiety under a charge of violation of national faith by the Executive of this Commonwealth, will, I hope, apologize for my adding this to the many troubles with which I know you to be burdened.

I have the honour, &c.

TH: JEFFERSON.

The three following letters, to the same exalted personage, dismisses the fate of Governour Hamilton, and all connexion of Mr. Jefferson with him.

TO HIS EXCELLENCY GENERAL WASHINGTON.

Williamsburgh, Oct. 1, 1779.

SIR,

On receipt of your letter of August 6th, during my absence, the Council had the irons taken off the prisoners of war. When your advice was asked, we meant it should decide with us; and upon my return to Williamsburgh, the matter was taken up and the enclosed advice given. A parole was formed of which the enclosed is a copy, and tendered to the prisoners. They objected to that part of it which restrained them from saying any thing to the prejudice of the United States, and insisted on "freedom of speech." They were, in

consequence, remanded to their confinement in the jail, which must be considered as a voluntary one, until they can determine with themselves to be inoffensive in word as well as deed. A flag sails hence to-morrow to New York, to negotiate the exchange of some prisoners. By her I have written to General Phillips on this subject, and enclosed to him copies of the within; intending it as an answer to a letter I received from him on the subject of Governour Hamilton.

I have the honour, &c.

TH: JEFFERSON.

TO THE SAME.

Williamsburgh, Oct. 2, 1779.

SIR,

Just as the letter accompanying this was going off, Colonel Mathews arrived on parole from New York by the way of head quarters, bringing your Excellency's letter on this subject, with that of the British commissary of prisoners. The subject is of great importance, and I must, therefore, reserve myself to answer after further consideration. Were I to speak from present impressions, I should say it was happy for Governour Hamilton that a final determination of his fate was formed before this new information. As the enemy have released Captain Willing from his irons, the Executive of this state will be induced perhaps not to alter their former opinion. But it is impossible they can be serious in attempting to bully us in this manner. We have too many of their subjects in our power, and too much iron to clothe them, with, and, I will add, too much resolution to avail ourselves of both, to fear

their pretended retaliation. However, I will do myself the honour of forwarding to your Excellency the ultimate result of Council on this subject.

In consequence of the information in the letter from the British commissary of prisoners, that no officers of the Virginia line should be exchanged till Governour Hamilton's affair should be settled, we have stopped our flag, which was just hoisting anchor with a load of privates for New York. I must, therefore, ask the favour of your Excellency to forward the enclosed by flag, when an opportunity offers, as I suppose General Phillips will be in New York before it reaches you.

I have the honour, &c.

TH : JEFFERSON.

TO THE SAME.

In Council, Oct. 8, 1779.

SIR,

In mine of the second of the present month, written in the instant of Colonel Mathews' delivery of your letter, I informed you what had been done on the subject of Governour Hamilton and his companions previous to that moment. I now enclose you an advice of Council, in consequence of the letter you were pleased to enclose me, from the British commissary of prisoners, with one from Lord Rawdon; also a copy of my letter to Colonel Mathews, enclosing, also, the papers therein named. The advice of Council to allow the enlargement of prisoners, on their giving a proper parole, has not been recalled, nor will it be, I suppose, unless something on the part of the enemy should render it necessary. I rather expect, however, that they will

see it their interest to discontinue this kind of conduct. I am afraid I shall hereafter, perhaps, be obliged to give your Excellency some trouble in aiding me to obtain information of the future usage of our prisoners. I shall give immediate orders for having in readiness every engine which the enemy have contrived for the destruction of our unhappy citizens, captivated by them. The presentiment of these operations is shocking beyond expression. I pray Heaven to avert them: but nothing in this world will do it but a proper conduct in the enemy. In every event, I shall resign myself to the hard necessity under which I shall act.

I have the honour, &c.

TH: JEFFERSON.

These measures of retaliation resulted with the happiest effects, and the enemy soon became convinced that we had "too many of their subjects in our power, and too much iron to clothe them with." Thus, when neither the dictates of humanity nor the usages of civilized society could claim attention, distressing experience forced itself into notice and obtained consideration. But the Governour was still vigilant, and stood prepared to adopt again the same system, when the British government should resort to their former practices. In a letter to the commander in chief, dated November 28th, 1779, he remarks: "Lamothe and Dejean have given their paroles, and are at Hanover Court House. Hamilton, Hay, and others, are still obstinate; therefore, still in close confinement, though their irons have never been on since your second letter on the subject. I wrote full information of this matter

to General Phillips also, from whom I had received letters on the subject. I cannot, in reason, believe that the enemy, on receiving this information, either from yourself or General Phillips, will venture to impose any new cruelties on our officers in captivity with them. Yet their conduct, hitherto, has been most successfully prognosticated by reversing the conclusions of right reason. It is, therefore, my duty, as well as it was my promise to the Virginia captives, to take measures for discovering any change which may be made in their situation. For this purpose, I must apply for your Excellency's interposition. I doubt not but you have an established mode of knowing, at all times, through your commissary of prisoners, the precise state of those in the power of the enemy. I must, therefore, pray you to put into motion any such means you have, for obtaining knowledge of the situation of Virginia officers in captivity. If you should think proper, as I could wish, to take upon yourself to retaliate any new sufferings which may be imposed on them, it will be more likely to have due weight, and to restore the unhappy on both sides, to that benevolent treatment for which all should wish."

The intermediate situation of Virginia had, hitherto, in a great measure, saved her interior from the ravages of invasion. The storm of war had spent its force on the more northern states, and was now beginning to burst with all its horrors upon the south, while Virginia was left to throw its aids in whatever quarter it was required.

In tracing these military operations, especially so far as the subject of these memoirs is connected with them,

we must derive much of our information from the lucid and happy detail contained in the "Biography of the Signers to the Declaration of Independence," a work to which we acknowledge previous obligations. This, with the correspondence of Mr. Jefferson himself, will be sufficient guides to every important event which occurred during his administration of the affairs of Virginia. More acceptable companions we could not present to the reader, and any thing we might offer, would be dull and uninteresting to the instruction and entertainment they afford.

In the spring of 1780, says the biographical annalist, the ferocious Tarleton had made his appearance on the southern borders of Virginia, marking his path with unusual barbarity. Immediately after him, followed the main army and Lord Cornwallis. It was then time for this devoted state to exert herself. Troops were rapidly raised and sent off to the south, lines of communication established, and every preparation made to meet the enemy. It is needless to remark, that all the former habits and pursuits of the Governor, had been of a kind little likely to fit him for military command; but aware of the importance of energy and exertion, at such a crisis, he bent his mind to the new task which fortune had thrown upon him, with alacrity and ardour. "Our intelligence from the southward," writes Mr. Jefferson to General Washington on the eleventh June, "is most lamentably defective. Though Charleston has now been in the hands of the enemy a month, we hear nothing of their movements, which can be relied on. Rumours say that they are penetrating northward. To remedy this

defect, I shall immediately establish a line of expresses from hence to the neighbourhood of their army, and send thither a sensible, judicious person, to give us information of their movements. This intelligence will, I hope, be conveyed at the rate of one hundred and twenty miles in the twenty-four hours. They set out to their stations to-morrow. I wish it were possible that a like speedy line of communication could be formed, from hence to your Excellency's head quarters. Perfect and speedy information of what is passing in the south, might put it in your power, perhaps, to frame your measures by theirs. There is really nothing to oppose the progress of the enemy northward, but the cautious principle of the military art. North Carolina is without arms. They do not abound with us. Those we have are freely imparted to them; but such is the state of their resources, that they have not been able to move a single musket from this state to theirs. All the wagons we can collect here have been furnished to the Baron De Kalb, and are assembled for the march of two thousand five hundred men under General Stevens, of Culpepper, who will move on the nineteenth instant. I have written to Congress to hasten supplies of arms and military stores for the southern states, and particularly to aid us with cartridge paper and boxes, the want of which articles, small as they are, renders our stores useless. The want of money cramps every effort. This will be supplied by the most unpalatable of all substitutes, force. Your Excellency will readily conceive, that after the loss of our army, our eyes are turned towards the other, and that we comfort ourselves with the hope, that if any

aids can be furnished by you, without defeating operations more beneficial to the Union, they will be furnished. At the same time, I am happy to find that the wishes of the people go no further, as far as I have an opportunity of learning their sentiments.— Could arms be furnished, I think this state and North Carolina would embody from ten to fifteen thousand militia immediately, and more, if necessary. I hope ere long to be able to give you a more certain statement of the enemy's as well as our own situation." On July 2d, in a letter to the same, he writes: "I have received from the committee of Congress, at headquarters, three letters calling for aids of men and provisions. I beg leave to refer you to my letter to them, of this date, on those subjects. I thought it necessary, however, to suggest to you the preparing an arrangement of officers for the men; for though they are to supply our battalions, yet, as our whole line officers, almost, are in captivity, I suppose some temporary provision must be made. We cheerfully transfer to you every power which the Executive might exercise on this occasion. As it is possible you may cast your eye on the unemployed officers now within the state, I write to General Muhlenburg to send you a return of them. I think the men will be rendezvoused within the present month. The bill, indeed, for raising them is not actually passed, but it is in its last stage, and no opposition to any essential parts of it. I will take care to notify you of its passage. I have, with great pain, perceived your situation; and the more so, as, being situated between two fires, a division of sentiment has arisen both in Congress and here, as to which the re-

sources of this country should be sent. The removal of General Clinton to the northward must, of course, have great influence on the determination of this question; and I have no doubt but considerable aids may be drawn hence for your army, unless a larger one should be embodied in the south, than the force of the enemy there seems to call for."

The legislature had become fully aware of their danger, and adopted the most vigorous measures for the increase and support of the southern army. They conferred on the Governour new and extraordinary powers; and that officer exerted himself in every mode which ingenuity could suggest, to ward off the approaching danger.

While, however, all eyes were turned to the south, and the anxiety of expectation rested there, a sudden attack in another quarter was the more disastrous, as it was totally unforeseen.

Arnold, whose treachery seems to have increased the natural daring and recklessness of his temper, aware of the unprotected situation of Virginia on the seaboard, formed a plan for an attack on that quarter.— He set sail from New York, with sixteen hundred men, and, supported by a number of armed vessels, ascended James river, and landed about fifteen miles below Richmond. All the militia of the state that could be supplied with arms, had been already called out, and placed in the neighbourhood of Williamsburgh, under the orders of General Nelson. This event seemed to leave the Governour almost without resource; he saw the enemy within a few miles of the capital of the state, which was entirely undefended;

he collected hastily about two hundred half-armed militia, whom he placed under the command of Baron Steuben, for the purpose of protecting the removal of the records and military stores across James river; he superintended their movements in person, with the utmost zeal, courage, and prudence; and he was seen coolly issuing his orders until the enemy had actually entered the lower part of the town, and began to flank it with their light horse. "As the order for drawing militia here," writes the Governour to General Washington, "had been given but two days, no opposition was in readiness. Every effort was therefore necessary to withdraw the arms and other military stores, records, &c. from this place. Every effort was accordingly exerted to convey them to the foundry, five miles, and to a laboratory, six miles above this place, till about sunset of that day, when we learned that the enemy had come to an anchor at Westover that morning. We then knew that this, and not Petersburg, was their object, and began to carry across the river every thing remaining here, and to remove what had been transported to the foundry and laboratory, to Westham, the nearest crossing, seven miles above this place, which operation was continued till they had approached very near. They marched from Westover at two o'clock in the afternoon of the 4th, and entered Richmond at one o'clock in the afternoon of the 5th. A regiment of infantry and about thirty horse continued on, without halting, to the foundry. They burnt that, the boring mill, the magazine, and two other houses, and proceeded to Westham; but nothing being in their power there, they retired to Rich-

mond. The next morning they burnt some buildings of publick and private property, with what stores remained in them, destroyed a great quantity of private stores, and about twelve o'clock retired towards Westover, where they encamped within the Neck the next day. The loss sustained is not yet accurately known. As far as I have been able to discover, it consisted, at this place, of about three hundred muskets, some soldiers' clothing to a small amount, some quarter-master's stores, of which one hundred and twenty sides of leather was the principal article, part of the artificers' tools, and three wagons. Besides which, five brass four-pounders, which we had sunk in the river, were discovered to them, raised and carried off. At the foundry, we lost the greater part of the papers belonging to the Auditor's office, and of the books and papers of the Council office. About five or six tons of powder, as we conjecture, was thrown into the canal, of which there will be a considerable saving by remanufacturing it. The roof of the foundry was burned, but the stacks of chimneys and furnaces not at all injured. The boring mill was consumed.— Within less than forty-eight hours from the time of their landing, and nineteen from our knowing their destination, they had penetrated thirty-three miles, done the whole injury, and retired. Their numbers, from the best intelligence I have had, are about fifteen hundred infantry, and as to their cavalry, accounts vary from fifty to one hundred and twenty; and the whole commanded by the parricide Arnold. Should they loiter a little longer, I still flatter myself they will not escape with total impunity. To what place they will

point their next exertions we cannot even conjecture. The whole country on the tide waters and some distance from them, is equally open to similar insults."

Major General Steuben, assisted by General Nelson, having by this time collected a considerable force, marched in pursuit of Arnold. But the movements of the latter were too rapid to be interrupted by the tardy advances of undisciplined militia. They were, however, able to prevent similar incursions, and by remaining in the vicinity of Portsmouth, they confined the enemy to their intrenchments.

Although Arnold had thus succeeded in plundering and ravaging the country, the Governour determined that, if possible, the traitor should not eventually escape. He had no doubt of his capture, if a plan were prudently formed, and boldly carried into execution. The scheme which suggested itself for this purpose is best explained by a letter from him to General Muhlenburg, and dated on the 31st of January:

"Sir—Acquainted as you are with the treasons of Arnold, I need say nothing for your information, or to give you a proper sentiment of them. You will readily suppose that it is above all things desirable to drag him from those under whose wing he is now sheltered. On his march to and from this place, I am certain it might have been done with facility, by men of enterprise and firmness. I think it may still be done, though perhaps not quite so easily. Having peculiar confidence in the men from the western side of the mountains, I meant, as soon as they should come down, to get the enterprise proposed to a chosen number of them, such whose courage and whose fidelity would be

above all doubt. Your perfect knowledge of those men personally, and my confidence in your discretion, induce me to ask you to pick from among them proper characters, in such numbers as you think best, to reveal to them our desire, and engage them to undertake to seize and bring off this greatest of all traitors. Whether this may be best effected by their going in as friends, and awaiting their opportunity, or otherwise, is left to themselves. The smaller the number the better, so that they may be sufficient to manage him. Every necessary caution must be used on their part, to prevent a discovery of their design by the enemy. I will undertake, if they are successful in bringing him off alive, that they shall receive five thousand guineas reward among them; and to men formed for such an enterprise, it must be a great incitement to know that their names will be recorded with glory in history, with those of Van Wart, Paulding, and Williams. The enclosed order from Baron Steuben will authorize you to call for and to dispose of any force you may think necessary to place in readiness for covering the enterprise, and securing the retreat of the party. Mr. Newton, the bearer of this, and to whom its contents are communicated in confidence, will provide men of trust to go as guides. These may be associated in the enterprise or not, as you please; but let the point be previously settled, that no difficulty may arise as to the parties entitled to participate in the reward. You know how necessary profound secrecy is in this business, even if it be not undertaken."

There was no difficulty in finding men bold enough and ready enough to undertake this, or any other

hazard; but the attempt was rendered unavailing by the timely prudence of Arnold, who avoided every exposure to such a danger.

Frustrated in this plan, the Governour turned his attention to another and bolder scale, in which he was to be aided by General Washington, and the French fleet. The latter, then at Rhode Island, were to sail immediately for James river, to prevent the escape of the enemy by sea, while a large body of troops should be collected on shore, for the purpose of blockading them, and ultimately compelling a surrender. On the eighth of March, Mr. Jefferson thus writes to the commander in chief. "We have made on our part, every preparation which we were able to make. The militia proposed to operate will be upwards of four thousand from this state, and one thousand or twelve hundred from Carolina, said to be under General Gregory. The enemy are at this time, in a great measure, blockaded by land, there being a force on the east side of Elizabeth river. They suffer for provisions, as they are afraid to venture far, lest the French squadron should be in the neighbourhood, and come upon them. Were it possible to block up the river, a little time would suffice to reduce them by want and desertions; and would be more sure in its event than any attempt by storm." The French fleet, however, encountered, on their arrival at the Chesapeake, a British squadron of equal, if not superiour force, by which they were driven back; by these means the plan was defeated, and Arnold again escaped.

But Virginia was not yet redeemed from disasters, and new difficulties were to be encountered by the tal-

ents and activity of her Gouverneur. Arnold had scarcely left the coast, when Cornwallis entered the state on the southern frontier. "I make no doubt you will have heard," writes Mr. Jefferson in a communication of May 28, shortly after the invasion, to General Washington, "before this shall have the honour of being presented to your Excellency, of the junction of Lord Cornwallis with the force at Petersburg under Arnold, who had succeeded to the command on the death of Major General Phillips. I am now advised that they have evacuated Petersburg, joined at Westover a reinforcement of two thousand men just arrived from New York, crossed James river, and on the 26th instant, were three miles advanced on their way towards Richmond; at which place Major General the Marquis Lafayette lay with three thousand men, regulars and militia; these being the whole number we could arm until the arrival of the eleven hundred arms from Rhode Island, which are, about this time, at the place where our publick stores are deposited.— The whole force of the enemy within this state, from the best intelligence I have been able to get, is, I think, about seven thousand men, infantry and cavalry, including, also, the small garrison left at Portsmouth. A number of privateers, which are constantly ravaging the shores of our rivers, prevent us from receiving any aid from the counties lying on navigable waters; and powerful operations meditated against our western frontier, by a joint force of British and Indian savages, have, as your Excellency before knew, obliged us to embody between two and three thousand men in that quarter. Your Excellency will judge from this state

of things and from what you know of our country, what it may probably suffer during the present campaign. Should the enemy be able to produce no opportunity of annihilating the Marquis' army, a small proportion of their force may yet restrain his movements effectually, while the greater part are employed, in detachment, to waste an unarmed country, and lead the minds of the people to acquiesce under those events, which they see no human power prepared to ward off. We are too far removed from the other scenes of war, to say whether the main force of the enemy be within this state. But I suppose they cannot any where spare so great an army for the operations of the field. Were it possible for this circumstance to justify in your Excellency a determination to lend us your personal aid, it is evident from the universal voice, that the presence of their beloved countryman, whose talents have so long been successfully employed in establishing the freedom of kindred states, to whose person they have still flattered themselves they retain some right, and have ever looked up, as their dernier resort in distress, would restore full confidence of salvation to our citizens, and would render them equal to whatever is not impossible. I cannot undertake to foresee and obviate the difficulties which lie in the way of such a resolution. The whole subject is before you, of which I see only detached parts; and your judgement will be formed on a view of the whole. Should the danger of this state, and its consequence to the Union, be such as to render it best for the whole that you should repair to its assistance, the difficulty would then be, how to keep men out of the

field. I have undertaken to hint this matter to your Excellency, not only on my own sense of its importance to us, but at the solicitations of many members of weight in our legislature, which has not yet assembled to speak their own desires.

A few days will bring me that relief which the constitution has prepared for those oppressed with the labours of my office, and a long declared resolution of relinquishing it to abler hands, has prepared my way for retirement to a private station: still, as an individual, I should feel the comfortable effects of your presence, and have (what I thought could not have been) an additional motive for that gratitude, esteem, and respect, with which I have the honour to be," &c.

No country, certainly, was ever worse prepared for defence than was Virginia at the time of this hostile irruption; her troops had been drawn off to distant quarters, her resources had been exhausted to supply other states, and she was alike destitute of military stores and of funds to obtain them. The whole burden of affairs, too, had been thrown on the Governour; the legislature had hastily adjourned on the invasion of Arnold in January, to meet again at Charlottesville on the 24th of May; in the mean time he had no resource but to make the best of the means which Providence had given him, and to depend on that good fortune which had already so often befriended his country, at moments the most gloomy and unpromising.— To resist invasion, the militia was his only force; and the resort even to this, was limited by the deficiency of arms. He used every effort, however, to increase its efficacy. When it was sent into the field, he called

into service a number of officers who had resigned, or been thrown out of publick employment by reductions of continental regiments for want of men, and gave them commands; an expedient which, together with the aid of the old soldiers scattered in the ranks, produced a sudden and highly useful degree of skill, discipline, and subordination. Men were drafted for the regular regiments, and considerable detachments of the militia were sent to the south, and a number of horses, essentially necessary, were rapidly obtained by an expedient of Mr. Jefferson's. Instead of using a mercenary agency, he wrote to an individual, generally a member of Assembly, in each of the counties where they were to be had, to purchase a specified number with the then expiring paper money. This expedient met with a success highly important to the common cause. Nor was it sufficient to protect his own state alone; aid was demanded for the Carolinas, and this, though increasing the destitution and distress at home, was furnished to a considerable extent. At length, however, exhausted by her efforts to aid her sister states, almost stripped of arms, without money, and harassed on the east and on the west with formidable invasions, Virginia appeared at last without resources.

In this state of things, the 24th of May arrived, but it was not until the 28th that the legislature was formed at Charlottesville, to proceed to business. On that day, the Governour addressed that letter to the commander in chief which we have last inserted. On the 2d of June, the term for which Mr. Jefferson had been elected, expired, and he returned to the situation of a

private citizen, after having conducted the affairs of his state through a period of difficulty and danger, without any parallel in its preceding or subsequent history, and with a prudence and energy that might have gained him more fame, had the times been less unpropitious, but which, from that very reason, have been, and will be, more appreciated and honoured in succeeding times. "I resigned," says he, "from a belief that, under the pressure of the invasion under which we were then labouring, the publick would have more confidence in a military chief, and that, the military commander being invested with the civil power also, both might be wielded with more energy, promptitude and effect, for the defence of the state."

Two days after his retirement from the government, says the biographer who has already afforded us our information of the military events during his administration, and when on his estate at Monticello, intelligence was suddenly brought that Tarleton, at the head of two hundred and fifty horse, had left the main army for the purpose of surprising and capturing the members of Assembly at Charlottesville. The house had just met, and was about to commence business, when the alarm was given; they had scarcely taken time to adjourn informally to meet at Staunton on the seventh, when the enemy entered the village, in the confident expectation of an easy prey. The escape was indeed narrow, but no one was taken. In pursuing the legislature, however, the Governour was not forgotten; a troop of horse under a Captain M'Leod had been despatched to Monticello, fortunately with no better success. The intelligence received at Charlottesville was

soon conveyed thither, the distance between the two places being very short. Mr. Jefferson immediately ordered a carriage to be in readiness to carry off his family, who, however, breakfasted at leisure with some guests. Soon after breakfast, and when the visitors had left the house, a neighbour rode up in full speed, with the intelligence that a troop of horse was then ascending the hill. Mr. Jefferson now sent off his family, and after a short delay for some indispensable arrangements, mounted his horse, and taking a course through the woods, joined them at the house of a friend, where they dined. It would scarcely be believed by those not acquainted with the fact, that this flight of a single and unarmed man from a troop of cavalry, whose whole legion, too, was within supporting distance, and whose main object was his capture, has been the subject of volumes of reproach, in prose and poetry, serious and sarcastick.

In answer to some inquiries from Dr. Gordon, Mr. Jefferson gives the following account of the treatment his property received, both from Tarleton and Lord Cornwallis: "You ask in your letter of April the 24th, details of my sufferings by Colonel Tarleton. I did not suffer by him. On the contrary, he behaved very genteelly with me. On his approach to Charlottesville, which is within three miles of my house at Monticello, he despatched a troop of his horse, under Captain M'Leod, with the double object of taking me prisoner, with the two Speakers of the Senate and Delegates, who then lodged with me, and of remaining there in *vidette*, my house commanding a view of ten or twelve miles round about. He gave strict orders to

Captain M'Leod to suffer nothing to be injured. The troop failed in one of their objects, as we had notice of their coming, so that the two Speakers had gone off about two hours before their arrival at Monticello, and myself, with my family, about five minutes. But Captain M'Leod preserved every thing with sacred care, during about eighteen hours that he remained there. Colonel Tarleton was just so long at Charlottesville, being hurried from thence by the news of the rising of the militia, and by a sudden fall of rain, which threatened to swell the river and intercept his return. In general, he did little injury to the inhabitants on that short and hasty excursion, which was of about sixty miles from their main army, then in Spottsylvania, and ours in Orange. It was early in June, 1781. Lord Cornwallis then proceeded to the point of Fork, and encamped his army from thence all along the main James river, to a seat of mine called Elk Hill, opposite to Elk Island, and a little below the mouth of the Byrd Creek. He remained in this position ten days, his own head quarters being in my house at that place. I had time to remove most of the effects out of the house. He destroyed all my growing crops of corn and tobacco; he burned all my barns, containing the same articles of the last year, having first taken what corn he wanted; he used, as was to be expected, all my stock of cattle, sheep and hogs, for the sustenance of his army, and carried off all the horses capable of service; of those too young for service, he cut the throats; and he burned all the fences on the plantation, so as to leave it an absolute waste. He carried off also about thirty slaves. Had this been to give them freedom, he would

have done right: but it was to consign them to inevitable death from the smallpox and putrid fever, then raging in his camp. This I knew afterwards to be the fate of twenty-seven of them. I never had news of the remaining three, but presume they shared the same fate. When I say that Lord Cornwallis did all this, I do not mean that he carried about the torch with his own hands, but that it was all done under his own eye; the situation of the house in which he was, commanding a view of every part of the plantation, so that he must have seen every fire. I relate these things on my own knowledge, in a great degree, as I was on the ground soon after he left it. He treated the rest of the neighbourhood somewhat in the same style, but not with that spirit of total extermination with which he seemed to rage over my plantation. Wherever he went, the dwelling houses were plundered of every thing which could be carried off. Lord Cornwallis's character in England would forbid the belief that he shared in the plunder; but that his table was served with the plate thus pillaged from private houses, can be proved by many hundred eye-witnesses. From an estimate I made at that time, on the best information I could collect, I suppose the state of Virginia lost under Lord Cornwallis's hands, that year, about thirty thousand slaves; and that of these, about twenty-seven thousand died of the smallpox and camp fever, and the rest were partly sent to the West Indies, and exchanged for rum, sugar, coffee, and fruit, and partly sent to New York, from whence they went at the peace, either to Nova Scotia or England. From this last place, I believe they have lately been sent to Africa. History

will never relate the horrors committed by the British army in the southern states of America. They raged in Virginia six months only, from the middle of April to the middle of October, 1781, when they were all taken prisoners; and I give you a faithful specimen of their transactions for ten days of that time, and on one spot only. *Ex pede Herculem*. I suppose their whole devastations during those six months amounted to about three millions sterling."

In times of difficulty and danger, it is seldom that the actions of the wisest and the best can escape without censure. Where they are not the marks of malevolence, they are yet dwelt on with morbid distrust by the discontented and the timid; they are contrasted by every speculative reasoner with the fanciful schemes which his own imagination has suggested; and if they do not chance to be crowned with unexpected success, the failure is attributed to intrinsick weakness, rather than to unavoidable accident. In the preceding pages a rapid sketch has been recorded of the publick acts of Mr. Jefferson during the singularly eventful period in which he was placed at the head of the government in Virginia. The truth of those facts may be relied on. From them, a reader of the present day, far removed from the bustle and feelings of the times, may form a calm judgement of the principles and talents of the man, when placed in this station of unexpected difficulty. There is little danger in asserting, that such a judgement will be as favourable to the zeal and talents of the statesman, as it will be honourable to the feelings and patriotism of the man. It would, therefore, seem almost useless to record imputed errors and unfounded char-

ges with regard to him, which have passed into oblivion by the lapse of years, were it not in some degree a duty, not to pass unnoticed, events which, in their own day at least, excited considerable attention.

The meeting of the legislature at Staunton was attended by several members who had not been present at Richmond at the period of Arnold's incursion. One of these, Mr. George Nicholas, actuated, it is said, by no unkind feelings, yet, it must be acknowledged, with a patriotism somewhat too ardent, accused the late Governour of great remissness in his measures on that occasion, and moved for an inquiry relative to them. To this Mr. Jefferson nor his friends had the least objection, nor did they make the slightest opposition. The ensuing session of the legislature was the period fixed for the investigation, but before it arrived, Mr. Nicholas, convinced that the charges were unfounded, in the most honourable and candid manner declined the farther prosecution of the affair. In the mean time, that he might be placed on equal grounds for meeting the inquiry, one of the representatives of his county resigned his seat, and Mr. Jefferson was unanimously elected in his place. When the house assembled, no one appeared to bring forward the investigation; he, however, rose in his place, and recapitulating the charges which had been made, stated in brief terms his own justification. His remarks were no sooner concluded, than the house passed unanimously the following resolution:

"Resolved, That the sincere thanks of the General Assembly be given to our former Governour, Thomas Jefferson, for his impartial, upright, and attentive ad-

ministration whilst in office. The Assembly wish, in the strongest manner, to declare the high opinion they entertain of Mr. Jefferson's ability, rectitude, and integrity, as chief magistrate of this commonwealth, and mean, by thus publicly avowing their opinion, to obviate and to remove all unmerited censures."

It is due to Mr. Nicholas to state, that in a publication some time afterwards, he made an honourable acknowledgment of the erroneous views he had entertained on the subject. The same candour has not marked all the opponents of Mr. Jefferson; but we are not, however, now to learn, that in the violence of political asperity, circumstances long proved, and generally acknowledged to be incorrect, are brought forward with no inconsiderable effrontery, and the mild and virtuous must be content to wait until time has swept away the fabrications and assertions of faction, and confirmed that which is founded in honesty and truth.

On the 15th June, 1781, Mr. Jefferson was appointed, with Mr. Adams, Dr. Franklin, Mr. Jay, and Mr. Laurens, a Minister Plenipotentiary for negotiating peace, then expected to be effected through the mediation of the Empress of Russia; but such was the state of his family, that he could neither leave it nor expose it to the dangers of the sea, and was consequently obliged to decline. In the autumn of the next year, Congress having received assurances that a general peace would be concluded in the winter and spring, renewed his appointment on the 13th November of that year. Two months before the last appointment, he had lost the cherished companion of his life, in whose affections, unabated on both sides, he had lived the last ten

years in unchequered happiness. With the publick interests, the state of his mind concurred in recommending the change of scene proposed; he accordingly accepted the appointment, and left Monticello on the 19th of December, 1782, for Philadelphia, where he arrived on the 27th. The minister of France, Luzerne, offered him a passage in the *Romulus* frigate, and which was accepted; but she was then lying a few miles below Baltimore, blocked up in the ice. Mr. Jefferson remained, therefore, a month in Philadelphia, looking over the papers in the office of state, and possessing himself of the general situation of our foreign relations, and then went to Baltimore, to await the liberation of the frigate from the ice. After waiting there nearly a month, information was received, that a provisional treaty of peace had been signed by our Commissioners on the 3d of September, 1782, to become absolute on the conclusion of peace between France and Great Britain. Considering his proceeding to Europe as now of no utility to the publick, he returned immediately to Philadelphia, to take the orders of Congress, and was excused by them from further proceeding. He therefore returned home, and arrived there on the 15th of May, 1783.

On the sixth of June, 1783, Mr. Jefferson was again elected a delegate to Congress, the appointment to take place on the 1st of November ensuing, when that of the existing delegation would expire. He accordingly left home on the 16th of October, arrived at Trenton, where Congress was sitting, on the 3d November, and took his seat on the 4th, on which day Congress adjourned, to meet at Annapolis on the 26th.

"Congress," says he, "had now become a very small body, and the members very remiss in their attendance on its duties; insomuch that a majority of the states, necessary by the Confederation to constitute a house, even for minor business, did not assemble until the 13th of December.

In this body, Mr. Jefferson, as was to be expected, took a prominent station, and became, at once, engaged in all the principal measures that occupied the publick attention. Among other services rendered by him, was that of establishing a standard of value for the country, and the adoption of a money unit. "They," (Congress,) says Mr. Jefferson, "as early as January 7, 1782, had turned their attention to the moneys current in the several states, and had directed the Financier, Robert Morris, to report to them a table of rates, at which the foreign coins should be received at the treasury. That officer, or rather his assistant, Gouverneur Morris, answered them on the 15th, in an able and elaborate statement of the denominations of money current in the several states, and of the comparative value of the foreign coins chiefly in circulation with us. He went into the consideration of the necessity of establishing a standard of value with us, and of the adoption of a money unit. He proposed for that unit, such a fraction of pure silver as would be a common measure of the penny of every state, without leaving a fraction. This common diviser he found to be $\frac{1}{1440}$ of a dollar, or $\frac{1}{1600}$ of the crown sterling. The value of a dollar was, therefore, to be expressed by 1440 units, and of a crown by 1600; each unit containing a quarter of a grain of fine silver. Congress turning again their attention to

this subject the following year, the Financier, by a letter of April 30, 1783, further explained and urged the unit he had proposed, but nothing more was done on it until the ensuing year, when it was again taken up, and referred to a committee, of which I was a member. The general views of the Financier were sound, and the principle was ingenious on which he proposed to found his unit; but it was too minute for ordinary use, too laborious for computation, either by the head or in figures. The price of a loaf of bread, $\frac{1}{15}$ of a dollar, would be 72 units. A pound of butter, $\frac{1}{4}$ of a dollar, 288 units. A horse, or bullock, of eighty dollars' value, would require a notation of six figures, to wit, 115,200; and the publick debt, suppose of eighty millions, would require twelve figures, to wit, 115,200,000,000 units. Such a system of money-arithmetic would be entirely unmanageable for the common purposes of society. I proposed, therefore, instead of this, to adopt the dollar as our unit of account and payment, and that its divisions and subdivisions should be in the decimal ratio. I wrote some notes on the subject, which I submitted to the consideration of the Financier. I received his answer, and adherence to his general system, only agreeing to take for his unit one hundred of those he first proposed, so that a dollar should be $14\frac{4}{100}$, and a crown 16 units. I replied to this, and printed my Notes and Reply on a flying sheet, which I put into the hands of the members of Congress for consideration, and the committee agreed to report on my principle. This was adopted the ensuing year, and is the system which now prevails. The division into dimes, cents, and mills, is now so

well understood, that it would be easy of introduction into the kindred branches of weights and measures. I use, when I travel, an Odometer of Clarke's invention, which divides the mile into cents, and I find every one comprehends a distance readily, when stated to him in miles and cents ; so he would in feet and cents, pounds and cents, &c."

I will again extract, from the memoirs of Mr. Jefferson, what follows below, for the sake of introducing a practical anecdote from Dr. Franklin: "The remissness of Congress, and their permanent session, began to be a subject of uneasiness ; and even some of the legislatures had recommended to them intermissions, and periodical sessions. As the Confederation had made no provision for a visible head of the government during vacations of Congress, and such a one was necessary to superintend the executive business, to receive and communicate with foreign ministers and nations, and to assemble Congress on sudden and extraordinary emergencies, I proposed, early in April, the appointment of a committee to be called the "Committee of the States," to consist of a member from each state, who should remain in session during the recess of Congress ; that the functions of Congress should be divided into executive and legislative, the latter to be reserved, and the former, by a general resolution, to be delegated to that committee. This proposition was afterwards agreed to ; a committee appointed, who afterwards entered on duty on the subsequent adjournment of Congress, quarrelled very soon, split into two parties, abandoned their post, and left the government without any visible head, until the next meeting of

Congress. We have since seen the same thing take place in the Directory of France ; and I believe it will for ever take place in any Executive consisting of a plurality. Our plan best, I believe, combines wisdom and practicability, by providing a plurality of counselors, but a single arbiter for ultimate decision. I was in France when we heard of this schism and separation of our committee, and speaking with Dr. Franklin of this singular disposition of men to quarrel, and divide into parties, he gave his sentiments, as usual, by way of apologue. He mentioned the Eddystone lighthouse, in the British channel, as being built on a rock, in the mid-channel, totally inaccessible in winter, from the boisterous character of that sea, in that season ; that, therefore, for the two keepers, and there are only two, employed to keep up the lights, all provisions for the winter were necessarily carried to them in autumn, as they could never be visited again till the return of the milder season ; that on the first practicable day in the spring, a boat puts off to them with fresh supplies. The boatmen met at the door one of the keepers, and accosted him with a ' How goes it, friend ? ' ' Very well.' ' How is your companion ? ' ' I do not know.' ' Don't know ?—is he not here ? ' ' I can't tell.' ' Have you not seen him to-day ? ' ' No.' ' When did you see him ? ' ' Not since last fall.' ' You have killed him.' ' Not I, indeed.' They were about to lay hold of him, as having certainly murdered his companion ; but he desired them to go up stairs and examine for themselves. They went up, and there found the other keeper. They had quarrelled, it seems, soon after being left there, had divided into two parties, assigned the

states below to one, and those above to the other, and had never spoken to, or seen, one another since."

The following advice is good, and even at the present day is not totally inapplicable: "Our body was little numerous, but very contentious. Day after day was wasted on the most unimportant questions. A member, one of those afflicted with the morbid rage of debate, of an ardent mind, prompt imagination, and copious flow of words, who heard with impatience any logick which was not his own, sitting near me on some occasion of a trifling but wordy debate, asked me how I could sit in silence, hearing so much false reasoning which a word should refute? I observed to him, that to refute indeed was easy, but to silence impossible; that in measures brought forward by myself, I took the labouring oar, as was incumbent on me; but that in general, I was willing to listen; that if every sound argument or objection was used by some one or other of the numerous debaters, it was enough; if not, I thought it sufficient to suggest the omission, without going into a repetition of what had been already said by others: that this was a waste and abuse of the time and patience of the house, which could not be justified. And I believe, that if the members of deliberative bodies were to observe this course generally, they would do in a day, what takes them a week; and it is really more questionable, than may at first be thought, whether Bonaparte's dumb legislature, which said nothing, and did much, may not be preferable to one which talks much, and does nothing. I served with General Washington in the legislature of Virginia, before the revolution, and during it, with Dr. Franklin in Con-

gress. I never heard either of them speak ten minutes at a time, nor to any but the main point which was to decide the question. They laid their shoulders to the great points, knowing that the little ones would follow of themselves. If the present Congress errs in too much talking, how can it be otherwise, in a body to which the people send one hundred and fifty lawyers, whose trade it is to question every thing, yield nothing, and talk by the hour? That one hundred and fifty lawyers should do business together, ought not to be expected."

Early in December, letters were received from the commissioners in France, accompanied with the definitive treaty between the United States and Great Britain, which had been signed at Paris on the third of September. They were immediately referred to a committee, of which Mr. Jefferson was chairman.— On the fourteenth of January, 1784, on the report of this committee, the treaty was unanimously ratified, thus putting an end to the eventful struggle between the two countries, and confirming the independence which had already been gained.

About this period an opportunity was offered to Mr. Jefferson, of expressing again, as he had already so frequently done, his earnest desire to provide for the emancipation of the negroes, and the entire abolition of slavery in the United States. Being appointed chairman of a committee to which was assigned the task of forming a plan for the temporary government of the Western Territory, he introduced into it the following clause: "That after the year 1800 of the christian era, there shall be neither slavery, nor invol-

entary servitude in any of the said states, otherwise than in punishment of crimes, whereof the party shall have been convicted to have been personally guilty." When the report of the committee was presented to Congress, these words were, however, struck out.

On the 7th of May, Congress resolved that a Minister Plenipotentiary should be appointed, in addition to Mr. Adams and Dr. Franklin, for negotiating treaties of commerce with foreign nations, and Mr. Jefferson was elected to that duty. He accordingly left Annapolis on the 11th, taking with him his eldest daughter, then at Philadelphia, and proceeded to Boston in quest of a passage. While passing through the different states, he informed himself of the condition of the commerce of each, went on to New Hampshire with the same view, and returned to Boston. Thence he sailed on the 5th of July in a merchant ship bound to Cowes; which, after a pleasant voyage of nineteen days, reached the place of her destination on the 26th. After being detained there a few days by the indisposition of his daughter, he embarked on the 30th for Havre, arrived there on the 31st, left it on the 3d of August, and arrived at Paris on the 6th. He called immediately on Dr. Franklin, at Passy, communicated to him their charge, and wrote to Mr. Adams, then at the Hague, to join them at Paris.

"Before I had left America," states Mr. Jefferson in his memoirs, "that is to say, in the year 1781, I had received a letter from M. de Marbois, of the French legation in Philadelphia, informing me, he had been instructed by his government to obtain such statistical accounts of the different states of our Union, as might

be useful for their information; and addressing to me a number of queries relative to the state of Virginia. I had always made it a practice, whenever an opportunity occurred of obtaining any information of our country, which might be of use to me in any station, publick or private, to commit it to writing. These memoranda were on loose papers, bundled up without order, and difficult of recurrence, when I had occasion for a particular one. I thought this a good occasion to embody their substance, which I did in the order of Mr. Marbois' queries, so as to answer his wish, and to arrange them for my own use. Some friends, to whom they were occasionally communicated, wished for copies; but their volume rendering this too laborious by hand, I proposed to get a few printed for their gratification. I was asked such a price, however, as exceeded the importance of the object. On my arrival at Paris, I found it could be done for a fourth of what I had been asked here. I therefore corrected and enlarged them, and had two hundred copies printed, under the title of 'Notes on Virginia.' I gave a very few copies to some particular friends in Europe, and sent the rest to my friends in America. An European copy, by the death of the owner, got into the hands of a bookseller, who engaged its translation, and when ready for the press, communicated his intentions and manuscript to me, suggesting that I should correct it, without asking any other permission for the publication. I never had seen so wretched an attempt at translation. Interverted, abridged, mutilated, and often reversing the sense of the original, I found it a blotch of errors from beginning to end. I corrected some of the most

material, and in that form it was printed in French. A London bookseller, on seeing the translation, requested me to permit him to print the English original. I thought it best to do so, to let the world see that it was not really so bad as the French translation had made it appear." Such was the origin and history of the celebrated "Notes on Virginia."

This work comes recommended to us by its bland philosophy, the variety of its information, and the charming simplicity of its style. In it, the fanciful and absurd theories of Buffon receive a gentle but most convincing refutation; and the greatest philosopher of his day is prostrated by a citizen of a then almost unknown and despised country. And when demanded, Mr. Jefferson can rise with his subject, and touch the pinnacle of loftiness in thought and sublimity of conception. But, as has been truly remarked, it is "in the interesting picture of Indian habits and manners; the records of their untutored eloquence; the vindication of their bravery, their generosity, and their virtue; in the delineation of the character, the fidelity, the kindly feelings of the enslaved negro race, whose champion he ever was, alike in the times of colonial subjection, and of established freedom; in his investigations relative to religious and political liberty; in his researches in science, philosophy, and antiquity—that every reader will find much to instruct and amuse. He will not perhaps regret that he chose publick life as the great theatre of his ambition, but he will acknowledge, that his fame would probably have been as great in the more peaceful pursuits of science."

In this work is also contained the famous speech of

Logan, the Mingo chief, which seems to be no less gratifying to the nobility of intellect, than attractive as the theme of schoolboy declamation. Whether this speech, delivered to Lord Dunmore, be really the speech of this implacable warrior, or whether it was coined for him by the poetick fancy of his messenger, it would be difficult to decide. It is certainly characterized by the laconick and figurative style of the Indians. It would require, however, a keen vision to perceive in it that "tender sentiment" and "sublime morality," which some of the historians of Virginia say it possesses. Is there any thing either tender or sublime in the declaration of savage vengeance, and the confession of having glutted himself with the blood of his enemies? The end of this cormorant chieftain corresponded with his life. After "having killed many, and glutted his vengeance with blood," he went to Detroit, on his return from which place he was murdered. After the return of peace had compelled Logan to forbear the use of the tomahawk and scalping knife, he became addicted to the Indian's besetting sin, to that degrading and debasing vice which paralyzes the physical powers of man, which bows his intellect to imbecility, and brings destruction on his temporal fortunes and future prospects—he became a confirmed and abandoned sot. The immoderate use of brandy had stupified his mental powers, and mingled with the demoniack ferocity of the savage, the delirious ravings of the drunkard.

But to return from this digression. Full powers were given by Congress to Mr. Jefferson and the other commissioners appointed by them, to form alliances of

amity and commerce with foreign states, and on the most liberal principles. Their efforts, however, do not appear to have been very successful; and indeed, after some reflection, and experience, it was thought better not to urge them too strongly, but to leave such regulations to flow voluntarily from the amicable dispositions and the evident interests of the several nations. This necessity is not perhaps so much to be regretted from any loss sustained in consequence of it to the United States, as from the circumstance that it suffered to pass unimproved so fortunate an opportunity of introducing into the law of nations, those honourable, humane, and just stipulations with regard to privateering, blockades, contraband, and freedom of fisheries, which, at the suggestion of Dr. Franklin, the commissioners had been instructed to introduce, if possible, into all the conventions they might form.

Since the treaty of peace, the English government had been particularly distant and unaccommodating in its relations with the United States; but at one period of Mr. Jefferson's residence abroad, it was supposed that there were some symptoms of better disposition shown towards us. On this account he left Paris, and on his arrival at London, agreed with Mr. Adams on a very summary form of treaty, proposing "an exchange of citizenship for our citizens, our ships, and our productions generally, except as to office." At the usual presentation, however, to the King and Queen, both Mr. Adams and himself were received in the most ungracious manner, and they at once discovered, that the ulcerations of mind in that quarter, left nothing to be expected on the particular subject of the visit.

A few vague and ineffectual conferences followed, after which he returned to Paris. He did not, however, cease to keep a watchful eye on the proceedings and conduct of the British nation, and his letters to the department of foreign affairs contain many facts in regard to it, and many instances of the jealous and unfriendly feeling which sprung from and long survived the misfortunes of her colonial conflict.

Of the personal character of the monarch, Mr. Jefferson's estimate is certainly not very high, and the account he gives of the conduct and dispositions of his son, the late King, as it agrees in the main with other accounts—as it was written solely for private and confidential information—and as it could be founded on no party or local views—may serve to confirm the similar relations current in those times.

“As the character of the Prince of Wales is becoming interesting, I have endeavoured to learn what it truly is. This is less difficult in his case, than in that of other persons of his rank, because he has taken no pains to hide himself from the world. The information I most rely on, is from a person here with whom I am intimate, who divides his time between Paris and London, an Englishman by birth, of truth, sagacity, and science. He is of a circle, when in London, which has good opportunities of knowing the Prince; but he has also himself had special occasions of verifying their information by his own personal observation.—He happened, when last in London, to be invited to a dinner of three persons. The Prince came by chance, and made the fourth. He ate half a leg of mutton; did not taste of small dishes, because small; drank

Champaign and Burgundy as small beer during dinner, and Bordeaux after dinner, as the rest of the company. Upon the whole, he ate as much as the other three, and drank about two bottles of wine, without seeming to feel it. My informant sat next him, and being till then unknown to the Prince, personally, (though not by character,) and lately from France, the Prince confined his conversation almost entirely to him. Observing to the Prince that he spoke French without the least foreign accent, the Prince told him, that, when very young, his father had put only French servants about him, and that it was to that circumstance he owed his pronunciation. He led him from this to give an account of his education, the total of which was the learning a little Latin. He has not a single element of mathematicks, of natural or moral philosophy, or of any other science on earth, nor, has the society he has kept been such as to supply the void of education. It has been that of the lowest, the most illiterate and profligate persons of the kingdom, without choice of rank or mind, and with whom the subjects of conversation are only horses, or drinking matches, and in terms the most vulgar. The young nobility who begin by associating with him, soon leave him; disgusted with the insupportable profligacy of his society; and Mr. Fox, who has been supposed his favourite, and not over-nice in the choice of company, would never keep his company habitually. In fact, he never associated with a man of sense. He has not a single idea of justice, morality, religion, or of the rights of men, nor any anxiety for the opinion of the world. He carries that indifference for fame so far,

that he would probably not be hurt were he to lose his throne, provided he could be assured of having always meat, drink, horses, and women. In the article of women, nevertheless, he is become more correct, since his connexion with Mrs. Fitzherbert, who is an honest and worthy woman: he is even less crapulous than he was. He had a fine person, but it is becoming more coarse. He possesses good native common sense; is affable, polite, and very good humoured. Saying to my informant, on another occasion, 'your friend, such a one, dined with me yesterday, and I made him damned drunk;' he replied, 'I am sorry for it; I had heard that your royal highness had left off drinking:' the Prince laughed, tapped him on the shoulder very good naturedly, without saying a word, or ever after showing any displeasure. The Duke of York, who was for some time cried up as the prodigy of the family, is as profligate, and of less understanding. To these particular traits, from a man of sense and truth, it would be superfluous to add the general terms of praise or blame in which he is spoken of by other persons, in whose impartiality and penetration I have less confidence. A sample is better than a description. For the peace of Europe, it is best that the King should give such gleamings of recovery, as would prevent the regent or his ministry from thinking themselves firm, and yet, that he should not recover."

The commissioners succeeded in their negotiations only with the governments of Morocco and Prussia. The treaty with the latter power is so remarkable for some of the provisions it contains, that it stands solitary in diplomacy and national law. Blockades arising

from all causes, and of every description, were abolished by it; the flag, in every case, covered the property, and contrabands were exempted from confiscation, though they might be employed for the use of the captor, on payment of their full value. This, it is said, is the only convention ever made by America in which the last stipulation is introduced, nor is it known to exist in any other modern treaty.

On the tenth of March, 1785, Mr. Jefferson was unanimously appointed by Congress to succeed Dr. Franklin as minister plenipotentiary at the court of Versailles; and on the expiration of his commission in October, 1787, he was again elected to the same honourable situation. He remained in France until October, 1789.

While in France, Mr. Jefferson was engaged in many diplomattick negotiations of considerable importance to this country, though not of sufficient interest to arrest the attention of the general reader. "The great questions which had so long occupied the public mind, were fitted to arrest the attention of the most thoughtless, affecting as they did the policy of nations and the fate of empires; but the details which arise out of the interpretation of treaties, or the measures which are necessary to increase their effect, and to remedy their deficiencies, are interesting only to him who studies the minute points of political history. These only were the objects which could claim the attention of the minister to France, at this period; they did not call forth any prominent display of his great and various talents, but they required no ordinary address, involved as they were by the skilful intrigues of

such ministers as Vergennes and Calonne, and opposed, for the most part, by all the men of influence who thought that their interests might be compromised or endangered. Among the principal benefits then obtained, and continued to the United States until the period of the French revolution, were the abolition of several monopolies, and the free admission into France of tobacco, rice, whale oil, salted fish, and flour; and of the two latter articles into the French West India islands.

During his residence in Europe, Mr. Jefferson also visited Holland, and his Memoir embraces a brief but clear account of the fatal revolution, by which the Prince of Orange made himself sovereign of that republick, so long and honourably independent. He also crossed the Alps, and travelled through Lombardy, though he did not extend his journey to the southern part of the peninsula. In returning to Paris, he visited all the principal seaports of the southern and western coasts of France, and made many and interesting observations with regard to the culture of the vine, olive, and rice, which were carefully communicated to his friends across the Atlantick; and he had reason to believe, afterwards, that they had not failed to produce benefits, which, in time, will be of wide-extended utility.

When Mr. Jefferson reached Paris, he found that city in high fermentation from the early events of the revolution; and during the remainder of his stay in Europe, his attention was well and fully occupied in observing, as an eye witness, the progress of the extraordinary occurrences which from that time took place in rapid succession.

Simply as the representative of a foreign people, he might be expected to do this; but his situation as the minister of a nation which was supposed to have given the example, and by many, even in this very example, to have lain a train for the subsequent changes, not only caused him to be more curious and anxious himself, but made him an object of interest and attention to the actors in these new scenes. He was, from circumstances, much acquainted with the leading patriots of the National Assembly; and as he came from a country which had passed successfully through a similar reformation, they were naturally disposed to seek his advice and place confidence in his opinions. It would have been affectation to deny that he looked with pleasure on a successful and beneficial change of the French government, not merely from the advantages it would bring to an oppressed nation, but as ensuring a general improvement in the condition of the people of Europe, ground to the dust as they were by the tyranny of their rulers. But beyond these wishes he did not deem it just or proper to go; and on receiving, upon one occasion, an official invitation of the Archbishop of Bordeaux to attend and assist at the deliberations of an important committee, he excused himself immediately, for the obvious reason, that his duties, as a publick functionary, forbade him to interfere in the internal transactions of the country. He did not, however, consider himself restrained from urging upon his friends of the patriotick party, and especially upon his intimate and influential companion, Lafayette, the propriety, on repeated occasions, of immediate and seasonable compromise—of securing what was offered by the govern-

ment—and thus, by degrees, gaining peaceably, what might be lost by grasping too much at once, or be won, as proved to be the case, if as much ever was afterwards won, at sacrifices dreadful beyond calculation. The following anecdote is a striking instance taken in Mr. Jefferson's opinions, to which we have alluded.

“I received one morning,” he says, “a note from the Marquis de Lafayette, informing me, that he should bring a party of six or eight friends, to ask a dinner of me the next day. I assured them of their welcome. When they arrived, they were Lafayette himself, Dupont, Barnave, Alexander Lameth, Blacon, Mounier, Maubourg, and Dagout. These were leading patriots, of honest but differing opinions, sensible of the necessity of effecting a coalition by mutual sacrifices, knowing each other, and not afraid, therefore, to unbosom themselves mutually. This last was a material principle in the selection. With this view, the Marquis had invited the conference, and had fixed the time and place inadvertently, as to the embarrassment under which it might place one. The cloth being removed, and wine set on the table, after the American manner, the Marquis introduced the objects of the conference, by summarily reminding them of the state of things in the Assembly, the course which the principles of the constitution were taking, and the inevitable result, unless checked by more concord among the patriots themselves. He observed, that although he also had his opinion, he was ready to sacrifice it to that of his brethren of the same cause; but that a common opinion must now be formed, or the aristocracy would carry every thing, and that, whatever they should now agree on, he, at

the head of the national force, would maintain. The discussions began at the hour of four, and were continued till ten o'clock in the evening; during which time, I was a silent witness to a coolness and candour of argument, unusual in the conflicts of political opinions; to a logical reasoning, and chaste eloquence, disfigured by no gaudy tinsel of rhetorick or declamation, and truly worthy of being placed in parallel with the finest dialogues of antiquity as handed to us by Xenophon, by Plato, and Cicero. But duties of exculpation were now incumbent on me. I waited on Count Montmorin the next morning, and explained to him, with truth and candour, how it had happened that my house had been made the scene of conferences of such a character. He told me, he already knew every thing which had passed: that so far from taking umbrage at the use made of my house on that occasion, he earnestly wished I would habitually assist at such conferences, being sure I should be useful in moderating the warmer spirits, and promoting a wholesome and practicable reformation only. I told him, I knew too well the duties I owed to the King, the nation, and to my own country, to take any part in councils concerning their internal government, and that I should persevere, with care, in the character of a neutral and passive spectator, with wishes only, and very sincere ones, that those measures might prevail which would be for the greatest good of the nation. I have no doubt, indeed, that this conference was previously known and approved by this honest minister, who was in confidence and communication with the patriots, and wished for a reasonable reform of the constitution.

On Mr. Jefferson's first arrival in France, (says a discerning writer,) he had not failed to perceive, in the situation of the government, and the conduct of the thinking part of the community, strong indications of the necessity of a change, and a desire to arouse the nation from the sleep of despotism into which it was sunk. Through the medium of the press; in conversation and the intercourse of fashionable life; by the power and singular influence of men of letters then prevailing; these sentiments were disseminated with new and unheard of freedom. In all societies, male and female, politicks had become the universal theme; the witty, the rich, the noble, and the gay, indulged in them, perhaps, as much from fashion as reflection; the young women joined the patriotick party as the mode; the young men naturally followed in their train. The excessive dissipation of the Queen and the court, the corrupt and exclusive power of a small portion of the nobility who controlled it, the abuses of the pension list, the incredible confusion of the finances, the exhausted treasury amid a load of taxes, had so alarmed and paralyzed the ministers, that they had no resource, but themselves to make the first step in the revolution, by calling in at once the assistance of a popular assembly. From this period, the tide swelled on irresistibly, bringing by degrees one improvement after another, and washing away successively the long established mounds, which ages of submission on one hand, and tyranny on the other, had erected against liberty and right; but at last, unfortunately, overwhelming, for a time, the landmarks which justice and reason had formed, as the necessary protection of human and so-

cial institutions. Nothing, indeed, is more extraordinary in the history of the French revolution, than the rapid and total subversion which was effected in the institutions of the country. In such events, it happens, for the most part, that there is rather a removal of individuals, a modification of existing systems, a return to previous rights claimed or ascertained, which have been infringed: but here it was a violent exchange from one extreme to the other—the total destruction in theory and in practice, of the existing state of things—the building up of a new form of government from the very foundations—the establishment of the wildest republicanism on the ruins of the strictest despotism.—Perhaps this arose from the fact, (continues the same writer,) that there existed, in truth, but two classes of society, in regard, at least, to political institutions; the one very small in number, and in actual power, who were the oppressors; the other embracing the strength, sinews, and resources of the nation, vast in numbers, but utterly trampled. There was, indeed, no intermediate body—no true aristocracy; that which existed, was merely such in name, and by its titles; but it possessed no real influence or control. This circumstance placed, at the commencement of the struggle, the right to frame a new government, not in the hands of those who would merely have changed the form of oppression, but of the entire mass of the people themselves, who had never been accustomed, in fact, to the existence of any large, intermediate, and powerful class, between them and the legal power; and who, consequently, in subverting or modifying that, looked only to a corresponding augmentation and security of their

own rights. In this respect, the revolution of France is strongly contrasted with that of England, which was really a revolution of the nobility and landed aristocracy alone, bringing with it no great improvement in the popular institutions or privileges, and certainly leaving untouched, an immense mass of antiquated absurdity in laws and institutions, which a convulsion of more popular character could not have failed to demolish, but which now seems to be regarded either as a vital or desirable part of the constitution, or as so closely interwoven with it by time, that the abolition might endanger the destruction of what it is deemed best to preserve at all hazards.

The residence of Mr. Jefferson in France did not extend to that fatal period of the French revolution, when its atrocities drew down upon it the execrations even of those who rejoiced at the rising of the day-star of liberty; and the copious details which his letters embrace, render them, therefore, never-failing sources of interest and pleasure. It will not be uninteresting to extract from these the account he has given of several of the well known historical personages of the period. They have at least the merit of having been sketched at the time, under circumstances of observation peculiarly favourable.

"The *Marquis de Lafayette*," he writes, "is a most valuable auxiliary to me. His zeal is unbounded, and his weight with those in power, great. His education having been merely military, commerce was an unknown field to him. But his good sense enabling him to comprehend perfectly whatever is explained to him, his agency has been very efficacious. He has a great

deal of sound genius, is well remarked by the King, and is rising in popularity. He has nothing against him but the suspicion of republican principles. I think he will one day be of the ministry. The *Count de Vergennes* is ill. The possibility of his recovery, renders it dangerous for us to express a doubt of it; but he is in danger. He is a great minister in European affairs, but has very imperfect ideas of our institutions, and no confidence in them. His devotion to the principles of pure despotism, renders him unaffectionate to our governments. But his fear of England makes him value us as a make-weight. He is cool, reserved in political conversations, but free and familiar on other subjects, and a very attentive, agreeable person to do business with. It is impossible to have a clearer or better organized head; but age has chilled his heart." "The Count de Vergennes," he remarks, in another place, "had the reputation, with the diplomatick corps, of being wary and slippery in his diplomatick intercourse: and he might be, with those whom he knew to be slippery and double-faced themselves. As he saw that I had no indirect views, practised no subtleties, meddled in no intrigues, pursued no concealed object, I found him as frank, as honourable, as easy of access to reason, as any man with whom I had ever done business; and I must say the same of his successor, Montmorin, one of the most honest and worthy of human beings."

"It is a tremendous cloud, indeed, which hovers over this nation, and he at the helm (*Necker*) has, neither the courage nor skill necessary to weather it. Eloquence in a high degree, knowledge in matters of

account and order, are distinguishing traits in his character. Ambition is his first passion, virtue his second. He has not discovered that sublime truth, that a bold, unequivocal virtue is the best handmaid even to ambition, and would carry him farther, in the end, than the temporizing, wavering policy he pursues. His judgement is not of the first order, scarcely even of the second; his resolution frail; and upon the whole, it is rare to meet an instance of a person so much below the reputation he has obtained."

"The King (*Louis XVI.*) loves business, economy, order, and justice, and wishes sincerely the good of his people; but he is irascible, rude, very limited in his understanding, and religious, bordering on bigotry. He has no mistress, loves his Queen, and is too much governed by her."

Mr. Jefferson's opinion of Maria Antoinette, the unfortunate Queen of France, is thought to have been harsh and exaggerated, and not made with a due allowance for the peculiarity of her situation. "Her political opinions, conduct, and influence," it is said, "are not, perhaps, exaggerated, and to them, unfortunately, are to be attributed, with too much justice, the rapid, unimpeded, and, to herself, most lamentable course of events, which a spirit less obdurate might have restrained, or turned to unmingled good. But there were traits of virtuous and lofty firmness, as well as of tenderness and affection in her character, which were more fully displayed in later scenes of her life, and which are confirmed in all the relations since given to the world by those who saw her intimately and familiarly, that do not seem altogether compatible

with the picture presented by Mr. Jefferson. And it should not be forgotten, that at the time of his residence in France, the party opposed to Austria, which had arisen under the administration of Choiseul, and which had become more strong in that opposition from its connexion with Frederick and with Prussia, comprised the great proportion of the men of letters, and many of the patriotick leaders, with whom the most agreeable and natural associations of Mr. Jefferson were formed." But Mr. Jefferson's opinion, it must also be recollected, is that of a cool, calm, and temperate observer, unprejudiced by passion, and uninfluenced by interest, and of one whose faith was not often pinned upon the unsupported assertions of others. As such, we give it to the reader:

" Louis XVI. had a Queen of absolute sway over his weak mind, and timid virtue, and of a character the reverse of his in all points. This angel, as gaudily painted in the rhapsodies of Burke, with some smartness of fancy, but no sound sense, was proud, disdainful of restraint, indignant at all obstacles to her will, eager in the pursuit of pleasure, and firm enough to hold to her desires or perish in the wreck. Her inordinate gambling and dissipations, with those of the Count d'Artois, and others of her *clique*, had been a sensible item in the exhaustion of the treasury, which called into action the reforming hand of the nation; and her opposition to it, her inflexible perverseness, and dauntless spirit, led herself to the guillotine, drew the King on with her, and plunged the world into crimes and calamities which will for ever stain the pages of modern history. I have ever believed, that had there

been no Queen, there would have been no revolution. No force would have been provoked, nor exercised. The King would have gone hand in hand with the wisdom of his sounder counsellors, who, guided by the increased lights of the age, wished only, with the same pace, to advance the principles of their social constitution. The deed which closed the mortal course of these sovereigns, I shall neither approve nor condemn. I am not prepared to say, that the first magistrate of a nation cannot commit treason against his country, or is unamenable to its punishment: nor yet, that there is no written law, no regulated tribunal, there is not a law in our hearts, and a power in our hands, given for righteous employment in maintaining right, and redressing wrong. Of those who judged the King, many thought him wilfully criminal: many that his existence would keep the nation in perpetual conflict with the horde of Kings, who would war against a regeneration which might come home to themselves, and that it were better that one should die than all. I should not have voted with this portion of the legislature. I should have shut up the Queen in a convent, putting harm out of her power, and placed the King in his station, investing him with limited powers, which, I verily believe, he would have honestly exercised, according to the measure of his understanding. In this way, no void would have been created, courting the usurpation of a military adventurer, nor occasion given for those enormities which demoralized the nations of the world, and destroyed, and is yet to destroy, millions and millions of its inhabitants. There are three epochs in history, signalized by the total extinction of national

morality. The first was of the successors of Alexander, not omitting himself: the next, the successors of the first Cæsar: the third, our own age. This was begun by the partition of Poland, followed by the treaty of Pilnitz; next the conflagration of Copenhagen; then the enormities of Bonaparte, partitioning the earth at his will, and devastating it, with fire and sword; now the conspiracy of Kings, the successors of Bonaparte, blasphemously calling themselves the Holy Alliance, and treading in the footsteps of their incarcerated leader; not yet, indeed, usurping the government of other nations, avowedly and in detail, but controlling by their armies the forms in which they will permit them to be governed; and reserving *in petto* the order and extent of the usurpations further meditated."

Thus regarding the situation and governments of Europe, it may be well supposed that he formed no very advantageous opinion of the political condition of the old world, and that he looked upon the general fate of humanity there, as truly deplorable in comparison with that of his own more fortunate country. "He saw all around him the truth of Voltaire's observation, that every man must be either the hammer or the anvil. The great mass of the people were suffering under physical and moral oppression, while those whom fortune had placed in a loftier sphere, sought in the constant restlessness and tumult of ambition, dissipation, pomp, vanity, and unceasing intrigues of politics and love, that excitement which formed a poor substitute for higher aims and more lasting pleasures. In literature and science, indeed, the learned, the witty, and the eloquent men who will ever make that age remarkable,

left far behind them the few scholars of the infant republics; but this was more than compensated by the wide diffusion of general knowledge through the whole mass in one community, while in the other, all but a small and favoured circle were immersed in deep and general ignorance."

Of fashionable life in Paris, we have his own pleasant and playful account, in his letter of February 7, 1787, to Mrs. Bingham: "I know, madam, that the twelve-month is not yet expired, but it will be, nearly, before this will have the honour of being put into your hands. You are then engaged to tell me, truly and honestly, whether you do not find the tranquil pleasures of America preferable to the empty bustle of Paris. For to what does that bustle tend? At eleven o'clock, it is day, *chez madame*. The curtains are drawn. Propped on bolsters and pillows, and her head scratched into a little order, the bulletins of the sick are read, and the billets of the well. She writes to some of her acquaintance, and receives the visits of others. If the morning is not very thronged, she is able to get out and hobble round the cage of the *Palais Royal*; but she must hobble quickly, for the coiffeur's turn is come—and a tremendous turn it is! Happy, if he does not make her arrive when dinner is half over! The torpitude of digestion a little passed, she flutters half an hour through the streets, by way of paying visits, and then to the spectacles. These finished, another half hour is devoted to dodging in and out of the doors of her very sincere friends, and away to supper. After supper, cards; and after cards, bed; to rise at noon the next day, and to tread, like a mill-horse, the same trodden circle again,

Thus the days of life are consumed, one by one, without an object beyond the present moment; ever flying from the *ennui* of that, yet carrying it with us; eternally in pursuit of happiness, which keeps eternally before us. If death or bankruptcy happen to trip us out of the circle, it is matter for the buzz of the evening, and is completely forgotten by the next morning. In America, on the other hand, the society of your husband, the fond cares for the children, the arrangements for the house, the improvements of the grounds, fill every moment with a healthy and an useful activity. Every exertion is encouraging, because to present amusement it joins the promise of some future good. The intervals of leisure are filled by the society of real friends, whose affections are not thinned to cobweb, by being spread over a thousand objects. This is the picture, in the light it is presented to my mind; now let me have it in yours."

Yet, as has been truly remarked, Mr. Jefferson was not insensible to those traits in the character of the French, which have thrown a charm over their nation—its manners, its society, its institutions, and its people; which have long made its cities the resort alike of those who seek for amusement or for wisdom; which have placed it first in the scale of refinement, if not of intellect; which have given to its exploits all the brilliant tints of gallantry and romance; which have made it the chosen abode, in modern times, of taste, of science, and of art; and imparted to the luxuries of life, that elegance and zest, which, if to be desired, are yet unattained by the other nations of the world. Though the low and sullen murmurs of the

approaching storm were heard while he yet remained there, the bursting of the tempest was delayed—the steps of palaces were still trodden by gallant nobles, who, in personal intercourse, seemed to forget the pride of place and of birth, in the suavity and kindness of their manners—the gilded drawing rooms, the glittering theatres, the gardens cooled by fountains and adorned by statues, were still frequented by women, whose beauty and wit might seem to claim some pardon for their intrigues and crimes, and some hopes that they might escape impending desolation—the bureaux were still filled by statesmen, who so tempered and arranged the details of diplomatick intercourse, so displayed, when occasion offered, a candid and even a generous spirit, that those at least who were removed from the sphere of their designs, might look with less distrust or anxiety on vast schemes of political ambition, which were meant to embrace all the destinies of the age—the institutions of learning were still occupied by that large and singular body of literary triflers, whose speculations and researches are now seldom extricated from the long series of volumes which contain their labours and their dreams, but whose conversation varied and amused the society when it was eagerly welcomed and widely diffused.

From these scenes Mr. Jefferson did not part without regret; on these scenes he often looked back in the subsequent and different portion of his earthly journey; and to them he referred not long before its termination, in language which betrays an impression vividly made, and still uneffaced. “I cannot leave this great and good country,” he says, after speaking of his residence

in France, "without expressing my sense of its preeminence of character, among the nations of the earth. A more benevolent people I have never known, nor greater warmth and devotedness in their select friendships.— Their kindness and accommodation to strangers is unparalleled, and the hospitality of Paris is beyond any thing I had conceived to be practicable in a large city. Their eminence, too, in science, the communicative dispositions of their scientific men, the politeness of the general manners, the ease and vivacity of their conversation, give a charm to their society to be found no where else. In a comparison of this with other countries, we have the proof of primacy, which was given to Themistocles after the battle of Salamis.— Every general voted to himself the first reward of valour, and the second to Themistocles. So, ask the travelled inhabitant of any nation, in what country on earth would you rather live? Certainly, in my own, where are all my friends, my relations, and the earliest and sweetest affections and recollections of my life. Which would be your second choice? France."

As Mr. Jefferson was absent from America both during the session of the convention which formed the constitution, and while that act was under discussion in the several states, he had no opportunity to take part in its formation. The want of a general government had been severely felt, and the difficulties of the country were greatly increased, by the failure of treaties abroad, which might have given a system to our foreign relations, that could scarcely be expected, while the states presented a social form so feebly connected; the federal constitution, therefore, had been framed

from a general conviction of its necessity. No one rejoiced more than Mr. Jefferson at the formation of the new constitution, and its ratification by the states. Of the great mass of it, also, he entirely approved: the consolidation of the government; the organization in their branches; the subdivision of the legislative branch; the happy compromise of interests between the large and small states, by the different manner of voting in the two houses; the voting by persons instead of states; the qualified negative on the laws given to the Executive; and the direct power of taxation. There were points, however, to which he had objections, some less strong and some insuperable. But it is proper that the objections of so profound and popular a statesman as Mr. Jefferson, and to so important an instrument, should be given in detail. In a letter to Mr. Madison, dated Paris, December 20, 1787, he thus writes: "I like much the general idea of framing a government, which should go on of itself, peaceably, without needing continual recurrence to the state legislatures. I like the organization of the government into legislative, judiciary, and executive. I like the power given the legislature to levy taxes, and for that reason solely, I approve of the greater house being chosen by the people directly. For though I think a house, so chosen, will be very far inferior to the present Congress, it will be very illy qualified to legislate for the Union, for foreign nations, &c.; yet this evil does not weigh against the good of preserving inviolate the fundamental principle, that the people are not to be taxed but by representatives chosen immediately by themselves. I am captivated by the compromise of the

opposite claims of the great and little states, of the latter to equal, and the former to proportional influence. I am much pleased, too, with the substitution of the method of voting by persons, instead of that of voting by states: and I like the negative given to the Executive, conjointly with a third of either house; though I should have liked it better, had the judiciary been associated for that purpose, or invested separately with a similar power. There are other good things of less moment.

“ I will now tell you what I do not like. First, the omission of a bill of rights, providing clearly, and without the aid of sophism, for freedom of religion, freedom of the press, protection against standing armies, restriction of monopolies, the eternal and unremitting force of the *habeas corpus* laws, and trials by jury in all matters of fact triable by the laws of the land, and not by the laws of nations. To say, as Mr. Wilson does, that a bill of rights was not necessary, because all is reserved in the care of the general government which is not given, while in the particular ones, all is given which is not reserved, might do for the audience to which it was addressed: but it is surely a *gratis dictum*, the reverse of which might just as well be said; and it is opposed by strong inferences from the body of the instrument, as well as from the omission of the clause of our present Confederation, which had made the reservation in express terms. It was hard to conclude, because there has been a want of uniformity among the states as to the cases triable by jury, because some have been so incautious as to dispense with this mode of trial in certain cases, there-

fore the more prudent states shall be reduced to the same level of calamity. It would have been much more just and wise to have concluded the other way, that as most of the states had preserved with jealousy this sacred palladium of liberty, those who had wandered should be brought back to it: and to have established general right rather than general wrong. For I consider all the ill as established, which may be established. I have a right to nothing, which another has a right to take away; and Congress will have a right to take away trials by jury in all civil cases.— Let me add, that a bill of rights is what the people are entitled to against every government on earth, general or particular; and what no just government should refuse, or rest on inference.

“The second feature I dislike, and strongly dislike, is the abandonment, in every instance, of the principle of rotation in office, and most particularly in the case of the President. Reason and experience tell us, that the first magistrate will always be re-elected, if he may be re-elected. He is then an officer for life. This once observed, it becomes of so much consequence to certain nations, to have a friend or a foe at the head of our affairs, that they will interfere with money and with arms. A Galloman, or an Angloman, will be supported by the nation he befriends. If once elected, and at a second or third election outvoted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of government, be supported by the states voting for him, especially if they be the central ones, lying in a compact body by themselves, and separating their opponents; and they will be aided by one nation

in Europe, while the majority are aided by another. The election of a President of America, some years hence, will be much more interesting to certain nations of Europe than ever the election of a King of Poland was. Reflect on all the instances in history, ancient and modern, of elective monarchies, and say, if they do not give foundation for my fears; the Roman Emperours, the Popes while they were of any importance, the German Emperours till they became hereditary in practice, the Kings of Poland, the Deys of the Ottoman dependencies. It may be said, that if elections are to be attended with these disorders, the less frequently they are repeated, the better. But experience says, that to free them from disorder, they must be rendered less interesting by a necessity of change. No foreign power, nor domestick party, will waste their blood and money to elect a person who must go out at the end of a short period. The power of removing every fourth year by the vote of the people, is a power which they will not exercise, and if they were disposed to exercise it, they would not be permitted. The King of Poland is removable every day by the Diet, but they never remove him: nor would Russia, the Emperour, &c. permit them to do it. Smaller objections are, the appeals on matter of fact as well as law; and the binding all persons, legislative, executive, and judiciary, by oath, to maintain the constitution. I do not pretend to decide what would be the best method of procuring the establishment of the manifold good things in this constitution, and of getting rid of the bad. Whether by adopting it, in hopes of future amendment, or after it shall have been duly weighed and canvassed by the people,

after seeing the parts they generally dislike, and those they generally approve, to say to them, 'We see now what you wish: you are willing to give up to your federal government such and such powers; but you wish, at the same time, to have such and such fundamental rights secured to you, and certain sources of convulsion taken away. Be it so. Send together your deputies again. Let them establish your fundamental rights by a sacrosanct declaration, and let them pass the parts of the constitution you have approved. These will give powers to your federal government sufficient for your happiness.'

"This is what might be said, and would probably produce a speedy, more perfect, and more permanent form of government. At all events, I hope, you will not be discouraged from making other trials, if the present one should fail. We are never permitted to despair of the commonwealth. I have thus told you freely what I like, and what I dislike, merely as a matter of curiosity; for I know it is not in my power to offer matter of information to your judgement, which has been formed after hearing and weighing every thing which the wisdom of man could offer on these subjects. I own, I am not a friend to a very energetick government. It is always oppressive. It places the Governours, indeed, more at their ease, at the expense of the people. The late rebellion in Massachusetts has given more alarm than I think it should have done. Calculate that one rebellion in thirteen states in the course of eleven years, is but one for each state in a century and a half. No country should be so long without one. Not will any degree of power in the

hands of government prevent insurrections. In England, where the hand of power is heavier than with us, there are seldom half a dozen years without an insurrection. In France, where it is still heavier, but less despotick, as Montesquieu supposes, than in some other countries, and where there are always two or three hundred thousand men ready to crush insurrections, there have been three in the course of the three years I have been here, in every one of which greater numbers were engaged than in Massachusetts, and a great deal more blood was spilt. In Turkey, where the sole nod of the despot is death, insurrections are the events of every day. Compare again the ferocious depredations of their insurgents with the order, the moderation, and the almost self-extinguishment of ours. And say, finally, whether peace is best preserved by giving energy to the government, or information to the people. This last is the most certain and the most legitimate engine of government. Educate and inform the whole mass of the people. Enable them to see that it is their interest to preserve peace and order, and they will preserve them. And it requires no very high degree of education to convince them of this. They are the only sure reliance for the preservation of our liberty. After all, it is my principle that the will of the majority should prevail. If they approve the proposed constitution in all its parts, I shall concur in it cheerfully, in hopes they will amend it, whenever they shall find that it works wrong. This reliance cannot deceive us, as long as we remain virtuous; and I think we shall be so, as long as agriculture is our principal object, which will be the case while there remain vacant lands in

any part of America. When we get piled upon one another in large cities, as in Europe, we shall become corrupt, as in Europe, and go to eating one another as they do there."

In another letter, to the same distinguished personage, dated July 31, 1788, he remarks: "I sincerely rejoice at the acceptance of our new constitution by nine states. It is a good canvass, on which some strokes only want retouching. What these are, I think are sufficiently manifested by the general voice from north to south, which calls for a bill of rights. It seems pretty generally understood, that this should go to juries, *habeas corpus*, standing armies, printing, religion, and monopolies. I conceive there may be difficulty in finding general modifications of these, suited to the habits of all the states. But if such cannot be found, then it is better to establish trials by jury, the right of *habeas corpus*, freedom of the press, and freedom of religion, in all cases, and to abolish standing armies in time of peace, and monopolies in all cases, than not to do it in any. The few cases wherein these things may do evil, cannot be weighed against the multitude wherein the want of them will do evil. In disputes between a foreigner and a nation, a trial by jury may be improper. But if this exception cannot be agreed to, the remedy will be to model the jury, by giving the *medietas linguæ* in civil as well as criminal cases. Why suspend the *habeas corpus* in insurrections and rebellions? The parties who may be arrested, may be charged instantly with a well-defined crime; of course, the judge will remand them. If the publick safety requires that the government should

have a man imprisoned on less probable testimony in those than in other emergencies, let him be taken and tried, re-taken and re-tried, while the necessity continues, only giving him redress against the government for damages. Examine the history of England. See how few of the cases of the suspension of the *habeas corpus* law have been worthy of that suspension. They have been either real treason, wherein the parties might as well have been charged at once, or sham plots, where it was shameful they should ever have been suspected. Yet for the few cases wherein the suspension of the *habeas corpus* has done real good, that operation is now become habitual, and the minds of the nation almost prepared to live under its constant suspension. A declaration, that the federal government will never restrain the presses from printing any thing they please, will not take away the liability of the printers for false facts printed. The declaration, that religious faith shall be unpunished, does not give impunity to criminal acts dictated by religious error. The saying there shall be no monopolies, lessens the incitements to ingenuity, which is spurred on by the hope of a monopoly for a limited time, as of fourteen years; but the benefit of even limited monopolies is too doubtful to be opposed to that of their general suppression. If no check can be found to keep the number of standing troops within safe bounds, while they are tolerated as far as necessary, abandon them altogether, discipline well the militia, and guard the magazines with them. More than magazine guards will be useless, if few; and dangerous, if many. No European nation can ever send against us such a regular army

as we need fear, and it is hard, if our militia are not equal to those of Canada or Florida. My idea, then, is, that though proper exceptions to these general rules are desirable, and probably practicable, yet if the exceptions cannot be agreed on, the establishment of the rules, in all cases, will do ill in very few. I hope, therefore, a bill of rights will be formed, to guard the people against the federal government, as they are already guarded against their state governments, in most instances. The abandoning the principle of necessary rotation in the Senate, has, I see, been disapproved by many: in the case of the President, by none. I readily, therefore, suppose my opinion wrong, when opposed by the majority, as in the former instance, and the totality, as in the latter. In this, however, I should have done it with more complete satisfaction, had we all judged from the same position."

Many of these objections of Mr. Jefferson were afterwards obviated, by amendments to the constitution. It was deemed best to leave the right of *habeas corpus* to the discretion of Congress; and the question of the re-eligibility of the President, though not proposed or acted on formally, has received from the example of the officers in that high station, and the progress of public opinion, a decision, which may be almost considered as an established principle, any deviation from which would probably be opposed as a demonstration of ambitious views.

There was another amendment, however, not made or apparently thought of at the time, the omission of which Mr. Jefferson deemed of fatal consequence, as leaving uncrushed the germe that was to destroy the

wise combination of national powers. The evil he so much feared, was the entire irresponsibility of the judges, and their independence of the nation. He thus refers to this subject in his memoirs: "But there was another amendment, of which none of us thought at the time, and in the omission of which, lurks the germe that is to destroy this happy combination of national powers, in the general government, for matters of national concern, and independent powers in the states, for what concerns the states severally. In England, it was a great point gained at the revolution, that the commissions of the judges, which had hitherto been during pleasure, should thenceforth be made during good behaviour. A judiciary, dependent on the will of the King, had proved itself the most oppressive of all tools in the hand of that magistrate. Nothing, then, could be more salutary, than a change there, to the tenour of good behaviour; and the question of good behaviour, left to the vote of a simple majority in the two houses of Parliament. Before the revolution, we were all good English whigs, cordial in their free principles, and in their jealousies of their Executive magistrate. These jealousies are very apparent, in all our state constitutions; and, in the general government in this instance, we have gone even beyond the English caution, by requiring a vote of two thirds in one of the houses, for removing a judge: a vote so impossible, where any defence is made, before men of ordinary prejudices and passions, that our judges are effectually independent of the nation. But this ought not to be. I would not, indeed, make them dependent on the Executive authority, as they formerly were in

England; but I deem it indispensable to the continuance of this government, that they should be submitted to some practical and impartial control; and that this, to be impartial, must be compounded of a mixture of state and federal authorities. It is not enough, that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgement is warped by that influence.— To this bias add that of the *esprit de corps*, of their peculiar maxim and creed, 'that it is the office of a good judge to enlarge his jurisdiction,' and the absence of responsibility; and how can we expect impartial decision between the general government, of which they are themselves so eminent a part, and an individual state, from which they have nothing to hope or fear? We have seen, too, that, contrary to all correct example, they are in the habit of going out of the question before them, to throw an anchor ahead, and grapple further hold for future advances of power. They are then, in fact, the corps of sappers and miners, steadily working to undermine the independent rights of the states, and to consolidate all power in the hands of that government, in which they have so important a freehold estate. But it is not by the consolidation or concentration of powers, but by their distribution, that good government is effected. Were not this great country already divided into states, the division must be made, that each might do for itself what concerns itself directly, and what it can so much better do than a distant authority. Every state again is divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards,

to manage minuter details; and every ward into farms, to be governed each by its individual proprietor.— Were we directed from Washington when to sow and when to reap, we should soon want bread. It is by this partition of eares, descending in gradation from general to particular, that the mass of human affairs may be best managed, for the good and prosperity of all. I repeat, that I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested, where its toleration leads to publick ruin.— As, for the safety of society, we commit honest maniacs to Bedlam, so judges should be withdrawn from their bench, whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or in fortune; but it saves the republick, which is the first and supreme law.”

Neither, while abroad, was Mr. Jefferson a little efficient in redeeming the credit of his government.— “Among the debilities of the government of the Confederation,” says he, “no one was more distinguished or more distressing, than the utter impossibility of obtaining from the states, the moneys necessary for the payment of debts, or even for the ordinary expenses of the government: Some contributed a little, some less, and some nothing; and the last, furnished at length an excuse for the first, to do nothing also. Mr. Adams, while residing at the Hague, had a general authority to borrow what sums might be requisite for ordinary and necessary expenses. Interest on the publick debt, and the maintenance of the diplomattick establishment in Europe, had been habitually provided in this way.— He was now elected Vice President of the United

States, was soon to return to America, and had referred our bankers to me for future counsel, on our affairs in their hands. But I had no powers, no instructions, no means, and no familiarity with the subject. It had always been exclusively under his management, except as to occasional and partial deposits in the hands of Mr. Grand, banker in Paris, for special and local purposes. These last had been exhausted for some time, and I had fervently pressed the Treasury Board to replenish this particular deposit, as Mr. Grand now refused to make further advances. They answered candidly, that no funds could be obtained until the new government should get into action, and have time to make its arrangements. Mr. Adams had received his appointment to the court of London, while engaged at Paris with Dr. Franklin and myself, in the negotiations under our joint commissions. He had repaired thence to London, without returning to the Hague, to take leave of that government. He thought it necessary, however, to do so now, before he should leave Europe, and accordingly went there. I learned his departure from London, by a letter from Mrs. Adams, received on the very day on which he would arrive at the Hague. A consultation with him, and some provision for the future, was indispensable, while we could yet avail ourselves of his powers; for when they would be gone, we should be without resource. I was daily dunned by a company who had formerly made a small loan to the United States, the principal of which was now become due; and our bankers in Amsterdam had notified me, that the interest on our general debt would be expected in June; that if we

failed to pay it, it would be deemed an act of bankruptcy, and would effectually destroy the credit of the United States, and all future prospects of obtaining money there; that the loan they had been authorized to open, of which a third only was filled, had now ceased to get forward, and rendered desperate that hope of resource. I saw that there was not a moment to lose, and set out for the Hague on the second morning after receiving the information of Mr. Adams' journey. I went the direct road by Louvres, Senlis, Roye, Pont St. Maxence, Bois le Duc, Gournay, Peronne, Cambrai, Bouchain, Valenciennes, Mons, Bruxelles, Malines, Antwerp, Mordick, and Rotterdam, to the Hague, where I happily found Mr. Adams. He concurred with me at once in opinion, that something must be done, and that we ought to risk ourselves on doing it, without waiting for instructions, to save the credit of the United States. We foresaw, that before the new government could be adopted, assembled, establish its financial system, get the money into the treasury, and place it in Europe, considerable time would elapse; that, therefore, we had better provide at once for the years '88, '89 and '90, in order to place our government at its ease, and our credit in security, during that trying interval. We set out, therefore, by the way of Leyden for Amsterdam, where we arrived on the 10th. Mr. Adams executed 1,000 bonds, for 1,000 florins each, and deposited them in the hands of our bankers, with instructions, however, not to issue them until Congress should ratify the measure. This done, he returned to London, and I set out for Paris."

CHAPTER IV.

THE remaining portion of Mr. Jefferson's publick life, is embraced in a period of nineteen years, during which he held successively, in the government of his own country, the high and honourable offices of Secretary of State, Vice President, and President of the United States. The history of this is so familiar, and, indeed, so many now living have been eye witnesses of its events, that it is unnecessary, and would be far too prolix, to pursue the narrative of them in regular detail; and neither could this be done without writing the history of the United States for a certain period. It would, therefore, come within our prescribed limits, and be more agreeable to the reader, when we select such prominent topicks as are connected with the subject of these memoirs, and more likely to excite a general interest.

The national legislature, under the new system of government, convened at New York on the fourth day of March, 1789, and consisted of senators and representatives from eleven states. A quorum of both houses did not attend until the sixth of April, when, on counting the electoral votes, it appeared that George Washington was unanimously chosen President, and that John Adams was elected Vice President.

Whatever difference of opinion existed among the people of the United States with respect to the government itself, there was none as to the person who, as their first chief magistrate, was to be selected to administer it. All eyes, from the beginning, were turned to General Washington, as the first President; and he received what perhaps no individual, in so high a station, in any age, ever before received, the unanimous and voluntary suffrages of a whole nation.

Informed of his election by a special message, the President immediately left his beloved retreat, and set out for the seat of government. He was received on his way by the sincere congratulations of numerous public bodies as well as individuals.

He was met at Elizabethtown by a committee from both houses of Congress, and escorted into the city of New York amidst the acclamations of thousands.

On the 30th of April, the oath of office was administered to him by the Chancellor of the state of New York, in the gallery in front of the Senate chamber, in the presence of the members of the Senate and House of Representatives, and a vast concourse of citizens; and he was proclaimed President of the United States. Every countenance beamed with inexpressible joy at the sight of the venerated chief, to whom, under God, they were so much indebted, not only for their independence, but that form of government, in the administration of which he had consented to take a share, and which he had in their presence solemnly sworn to support.

Shortly after this impressive investment, Mr. Jefferson returned to the United States, having, for this pur-

pose, obtained leave of absence for a short time. In filling the executive offices, the President had, with that wisdom which marked all the acts of his publick life, carefully selected those whose talents or previous employments rendered them peculiarly fit for the duties of the stations to which they were appointed. Mr. Jefferson landed on November 23d at Norfolk, and whilst on his way home, received a letter from President Washington, covering the appointment of Secretary of State, under the new constitution, which was just commencing its operations. To this the following reply was returned: "I have received, at this place, (Chesterfield,) the honour of your letters of October the 13th and November 30th, and am truly flattered by your nomination of me to the very dignified office of Secretary of State; for which permit me here to return you my humble thanks. Could any circumstances seduce me to overlook the disproportion between its duties and my talents, it would be the encouragement of your choice. But when I contemplate the extent of that office, embracing as it does the principal mass of domestick administration, together with the foreign, I cannot be insensible of my inequality to it; and I should enter on it with gloomy forebodings from the criticisms and censures of a publick, just, indeed, in their intentions, but sometimes misinformed and misled, and always too respectable to be neglected. I cannot but foresee the possibility that this may end disagreeably for me, who, having no motive to publick service but the publick satisfaction, would certainly retire the moment that satisfaction should appear to languish. On the other hand, I feel

a degree of familiarity with the duties of my present office, as far, at least, as I am capable of understanding its duties. The ground I have already passed over, enables me to see my way into that which is before me. The change of government, too, taking place in the country where it is exercised, seems to open a possibility of procuring from the new rulers some new advantages in commerce, which may be agreeable to our countrymen. So that, as far as my fears, my hopes, or my inclination might enter into this question, I confess they would not leave me to prefer a change. But it is not for an individual to choose his post. You are to marshal us as may best be for the publick good; and it is only in the case of its being indifferent to you, that I would avail myself of the option you have so kindly offered in your letter. If you think it better to transfer me to another post, my inclination must be no obstacle; nor shall it be, if there is any desire to suppress the office I now hold, or to reduce its grade. In either of these cases, be so good only as to signify to me by another line your ultimate wish, and I shall conform to it cordially. If it should be to remain at New York, my chief comfort will be to work under your eye, my only shelter the authority of your name, and the wisdom of measures to be dictated by you, and implicitly executed by me. Whatever you may be pleased to decide, I do not see that the matters which have called me hither will permit me to shorten the stay I originally asked; that is to say, to set out on my journey northward till the month of March. As early as possible in that month, I shall have the honour of paying my respects to you in New York."

Mr. Jefferson arrived at Monticello on the 23d of December, where he received a second letter from the President, expressing his continued wish that he should take his station with him at New York, but leaving him still at liberty to continue in his former office, if he could not reconcile himself to that now proposed. This silenced all reluctance, and the appointment was accepted. He left Monticello on the first of March, 1790, for New York. At Philadelphia, he called on the venerable Dr. Franklin, who was then on that bed of sickness from which he never rose. The recent return of Mr. Jefferson from a country in which the doctor had left so many friends, and the perilous convulsions to which they had been exposed, revived all his anxieties to know what part they had taken, what had been their course, and what their fate. He went over all in succession, with a rapidity and animation almost too much for his strength. A circumstance took place during this interview which we cannot avoid relating. "When all his inquiries," continues Mr. Jefferson, "were satisfied, and a pause took place, I told him I had learned with much pleasure, that since his return to America, he had been occupied in preparing for the world the history of his own life. 'I cannot say much of that,' said he; 'but I will give you a sample of what I shall leave it:' and he directed his little grandson, (William Bache,) who was standing by the bed side, to hand him a paper from the table, to which he pointed. He did so; and the doctor, putting it into my hands, desired me to take it, and read it at my leisure. It was about a quire of folio paper, written in a large and running hand, very like his own. I looked

into it slightly, then shut it, and said I would accept his permission to read it, and would carefully return it. He said, 'No, keep it.' Not certain of his meaning, I again looked into it, folded it for my pocket, and said again, I would certainly return it. 'No,' said he, 'keep it.' I put it into my pocket, and, shortly after, took leave of him. He died on the 17th of the ensuing month of April; and as I understood that he had bequeathed all his papers to his grandson, William Temple Franklin, I immediately wrote to Mr. Franklin, to inform him I possessed this paper, which I should consider as his property, and would deliver to his order. He came on immediately to New York, and called on me for it, and I delivered it to him. As he put it into his pocket, he said carelessly, he had either the original or another copy of it, I do not recollect which. This last expression struck my attention forcibly, and for the first time suggested to me the thought that Dr. Franklin had meant it as a confidential deposit in my hands, and that I had done wrong in parting from it. I have not yet seen the collection he published of Dr. Franklin's works, and therefore know not if this is among them. I have been told it is not. It contained a narrative of the negotiations between Dr. Franklin and the British ministry when he was endeavouring to prevent the contest of arms which followed. The negotiation was brought about by the intervention of Lord Howe and his sister, who, I believe, was called Lady Howe, but I may misremember her title. Lord Howe seems to have been friendly to America, and exceedingly anxious to prevent a rupture. His intimacy with Dr. Franklin, and his position with the

ministry, induced him to undertake a mediation between them, in which his sister seemed to have been associated. They carried from one to the other, backwards and forwards, the several propositions and answers which passed, and seconded with their own intercessions, the importance of mutual sacrifices, to preserve the peace and connexion of the two countries. I remember that Lord North's answers were dry, unyielding, in the spirit of unconditional submission, and betrayed an absolute indifference to the occurrences of a rupture; and he said to the mediators distinctly, at last, that 'a rebellion was not to be deprecated on the part of Great Britain; that the confiscations it would produce, would provide for many of their friends.'—This expression was reported by the mediators to Dr. Franklin, and indicated so cool and calculative a purpose in the ministry, as to render compromise hopeless, and the negotiation was discontinued. If this is not among the papers published, we ask, what has become of it? I delivered it with my own hands into those of Temple Franklin. It certainly established views so atrocious in the British government, that its suppression would, to them, be worth a great price. But could the grandson of Dr. Franklin be, in such degree, an accomplice in the parricide of the memory of his immortal grandfather? The suspension, for more than twenty years, of the general publication, bequeathed and confided to him, produced for a while hard suspicions against him; and if, at last, all are not published, a part of these suspicions may remain with some."

Mr. Jefferson arrived at New York on the 21st of March, where Congress was in session.

Mr. Jefferson was thus placed at the head of the department of Foreign Affairs, Mr. Hamilton at the head of the Treasury, and Mr. Knox was made Secretary of the War Department; John Jay was appointed Chief Justice; John Rutledge, James Wilson, William Cushing, Robert H. Harrison, and John Blair, Associate Judges of the Supreme Court; and Edmund Randolph, Attorney General. Nicholas Eveleigh was appointed Comptroller; Oliver Wolcott, Auditor; and Joseph Nourse, Register.

Of all the offices under the government of the United States, says one well qualified to give an opinion, there is no one which calls for the exercise of such various abilities, such extensive knowledge of laws and facts, such prompt decision on questions involving principles of the highest political import, as the department of state: and in proportion to the infancy of the office itself, and the new and peculiar situation of the government, was the difficulty of the task assumed by Mr. Jefferson. The subsequent events of his political life have been tinged by the hue of party, and perhaps the time has not arrived when we can view them with strict impartiality, and weigh the policy of his measures, without dwelling too much on circumstances merely temporary or local. But all unite in the candid acknowledgment that the duties of this station were performed with a prudence, intelligence, and zeal honourable to himself, and useful to his country. In the intercourse with foreign nations, the laws of a strict neutrality, at a period of peculiar difficulty, were maintained with unyielding firmness and consummate ability; the dignity of the nation was remembered and

supported; and the interests of the citizens were cherished and protected. At home, he turned his attention to objects of a minuter character, but of equal importance; he laid before Congress, from time to time, reports on various branches of domestick policy, which displayed at once the extent and variety of his genius, the depth of his information, and the zeal with which he applied them both to the peculiar duties of his situation. It has been observed, that these papers evince not only the feelings of a patriot, and the judgement of an accomplished statesman, but display at the same time, uncommon talents and knowledge as a mathematician and natural philosopher, the deepest research as a historian, and an enlarged and intimate acquaintance with the business and concerns of a merchant.

The national legislature, during its first session, was principally occupied in providing revenues for the long exhausted treasury, in establishing a judiciary, in organizing the executive departments in detail, and in framing amendments to the constitution, agreeably to the suggestion of the President. The members immediately entered upon the exercise of those powers so long refused under the old system of general government. They imposed a tunnage duty, as well as duties on various imported articles. In the exercise of these powers, they did not lose sight of the navigating interest of their country, which had so long been at the mercy of other nations.

We have always deemed it the peculiar charity of Heaven, is the remark of a distinguished writer, that, at this time, such a man as George Washington was given to fill the high and novel station of first magis-

trate of the Union. One of different talents, one less endowed with exalted and uncommon qualities, one who was merely respected as a citizen, or known merely as a statesman of *routine*, in short, one who was not venerated as a father, would have brought to the first operations of this new and complicated government, nothing to enforce it beyond its own intrinsic merits. It would have been less impressive and efficient; and although republican principles and habits would undoubtedly have carried it through, yet it would have been coldly, and sometimes reluctantly adopted. The slow progress which it would then have made, the opposition which, at times, would probably have been presented by state administrations, feeling themselves somewhat shorn of their power, were prevented by the overbearing but unassuming influence of a name which memory ever found prominent in military recollections, and always safe in civil and domestic action.

Nor is it at all inconsistent with republicanism, that among men all politically equal, publick preference should accompany those who are the most meritorious. There cannot be an agrarian law of the mind. Talent and virtue must ascend, and must acquire the confidence and trust of the community. But is there no danger? May not confidence and trust be carried too far? The answer is found in a written constitution, full of checks and balances; and we may confidently throw into the scale the moderation and good sense of our citizens. Compare this country with all we know of other countries—the North American republick with every other republick—the petty, rancorous de-

mocracies of ancient Greece—the disjointed, venal Romans—the aristocracies of Venice and Genoa, and others of modern times—the ephemeral republick of France—the southern part of our own continent in its present awful convulsions—do we not perceive that we have a natural character distinct from all of them? Here it would be impossible for a Julius Cæsar to array a military force against the liberties of his country; it would be unnecessary to expel an Aristides by ostracism. We adhere to the letter of the constitution; it is the safest rule. No publick instrument ever was so cautiously, so accurately framed. There is in it nothing superfluous, nothing defective. The letter is itself the spirit of it.

“Mr. Jefferson had scarcely entered on the duties of his office, when Congress referred to him a subject whose nature and importance called for the exercise of a mature judgement, while its intricacy was such, as to require in the investigation more than ordinary scientifick knowledge. They directed him to prepare and report a plan for establishing a uniform system of currency, weights and measures. This was a subject, admitted on all hands, which demanded very serious attention. It had already attracted the notice of the most enlightened European nations; and a partial experiment in one branch, that of the publick currency, had been received throughout the United States with general approbation and unexpected success.—The established system of weights and measures was alike inconvenient and absurd. In the ages of feudal ignorance, when the sallies of passion, the dictates of unrestrained ambition, or the gratification of each

changing caprice, were all that a monarch asked as the foundation of his laws, it was at least not inconsistent, that the length of his arm or foot should regulate the measures of the nation. But the necessities of modern commercial intercourse, seem to demand a scale more certain and convenient; while the improvements of modern science offered standards of unerring correctness and uniformity. The first object that presents itself in such an inquiry, is the discovery of some measure of invariable length. For this purpose, Mr. Jefferson proposed to select a pendulum vibrating seconds; and, after answering the various objections which may be made to such a standard, he submits to Congress two alternative plans for its adoption. By the first he proposes, that if, in the opinion of Congress, the difficulty of changing the established habits of the nation, renders it expedient to retain the present weights and measures, yet that they should be rendered uniform and invariable, by bringing them to the same invariable standard. With this view, he enters minutely into the details of the present system, its history, the remarkable coincidence to be discovered in some of its varieties, its useless inconsistencies, and the extreme ease, and trifling variation, with which it may be rendered uniform and stable."

In the second alternative he proceeds to say, "If it be thought that either now or at any future time, the citizens of the United States may be induced to undertake a thorough reformation of the whole system of measures, weights, and coins, reducing every branch to the same decimal ratio already established in their coins, and thus bringing the calculation of the princi-

pal affairs of life within the arithmetick of every man who can multiply and divide plain numbers, greater changes will be necessary."

These changes he points out briefly and distinctly, as being such as are easy of introduction, and useful both to the citizens of our own and foreign countries. "A gradual introduction," he concludes, "would lessen the inconveniences which might attend too sudden a substitution, even of an easier for a more difficult system. After a given term, for instance, it might begin in the custom-houses, where the merchants would become familiarized with it. After a further term, it might be introduced into all legal proceedings; and merchants and traders in foreign commodities might be required to use it in their dealings with one another. After a still further term, all other descriptions of people might receive it into common use. Too long a postponement, on the other hand, would increase the difficulties of its reception with the increase of our population."

Notwithstanding this able report of Mr. Jefferson, the system recommended by him was not adopted; and there has as yet been no change in the existing laws. But it is to be hoped, that the views of Mr. Jefferson will not be lost sight of among his countrymen; and that an important improvement will not be relinquished from a fear that their habits are so firmly fixed as to preclude its introduction.

"On the 18th of January, 1791, Mr. Jefferson made a report, as Secretary of State, on the subject of tuncage duties payable by France. Very soon after the meeting of the first Congress, the same subject had

been discussed in that body with considerable animation, and an act had passed the House of Representatives, embracing a discrimination in these duties highly favourable to France. The principle thus adopted, coincided with the general sentiments of the nation, and appeared to be called for, not by this circumstance only, but by the strongest dictates of national gratitude, as well as those of sound policy. This discrimination was rejected, however, by the Senate, and the House of Representatives were obliged, reluctantly, to yield. What it was thus deemed inexpedient to grant, even as a matter of favour or policy, the French government demanded as a right under the treaty of amity and commerce of 1778. The demand was referred to Mr. Jefferson, by the President, and elicited from him the able report to which we have alluded. In this he clearly proved, that the article of the treaty on which the French government founded their claim, was evidently meant to extend no further than to the exemption of the United States from a duty from which other favoured nations were also exempted, and that, in return, France could claim of our government no greater advantages than favoured nations also received of us. That if the article in question had a more extended relation, it applied reciprocally to each government, and would lead to the mutual abolition of duties highly useful to both, and to consequences in which it was hardly conceivable that either party could see its interest. But he appears to incline to the opinion, that if France persisted in claiming this exemption, there were extrinsick causes which might justify, and even render advisable, some relaxation

in her favour ; not on the grounds on which it was demanded, but from the effect it would have on the finances, revenue, and commerce of our own country. This report the President immediately submitted to the Senate of the United States.

To aid in the management of the national finances, the Secretary of the Treasury had previously recommended the establishment of a bank ; and in February, 1791, an act passed for that purpose. The preamble disclosed the principal reasons for its adoption, declaring "that it would be conducive to the successful conducting of the national finances, give facility to the obtaining of loans for the use of the government in sudden emergencies," and would also be "productive of considerable advantage to trade and industry in general."

The capital stock of the bank was ten millions of dollars ; two millions to be subscribed for the benefit of the United States, and the residue by individuals. One fourth of the sums subscribed by individuals was to be paid in gold and silver, and three fourths in the publick debt. By the act of incorporation, it was to be a bank of discount as well as deposit, and its bills, which were payable in gold and silver on demand, were made receivable in all payments to the United States. The bank was located at Philadelphia, with power in the directors to establish offices of discount and deposit only, wherever they should think fit within the United States. The duration of the charter was limited to the fourth of March, 1811 ; and the faith of the United States was pledged, that during that period no other bank should be established under their authority.

One of the fundamental articles of the incorporation was, that no loan should be made to the United States for more than one hundred thousand dollars, or to any particular state for more than fifty thousand, or to any foreign Prince or state, unless previously authorized by a law of the United States. The banks were opened for subscriptions in July, 1791, and a much larger sum subscribed than was allowed by the charter; and the bank went into successful operation. This measure was not adopted without warm and violent debates.

It was said in opposition, in the first place, that Congress had no power, under the constitution, to create this or any other corporation; in the second place, that so large a moneyed institution would, in its effects, be highly injurious to the community. Its advocates, on the other hand, contended, generally, that the establishment of an institution of this kind, though not within the express words of the constitution, was among the incidental powers contemplated by that part of the instrument which enabled Congress to make all laws *necessary* and *proper* for carrying into execution the powers expressly granted.

The President, before approving the bill, requested the opinions of the members of his cabinet, in writing, as to its constitutionality. The Secretary of State, and Attorney General, were of opinion, that the bill was unconstitutional, while the Secretaries of the Treasury, and War, were of a different opinion, and concurred with the majority in Congress. Mr. Jefferson was decidedly and warmly opposed to this institution, not only on account of its unconstitutionality, but on account of the danger to be apprehended to government from the

exorbitancy of its power, and the injury which it might inflict on community. The following is his official opinion on the constitutional question :

“ The bill for establishing a national bank, undertakes, among other things,

1. To form the subscribers into a corporation.
2. To enable them, in their corporate capacities, to receive grants of land; and so far, is against the laws of *Mortmain*.
3. To make *alien* subscribers capable of holding lands; and so far, is against the laws of *Alienage*.
4. To transmit these lands, on the death of a proprietor, to a certain line of successors; and so far, changes the course of *Descents*.
5. To put the lands out of the reach of forfeiture and escheat; and so far, is against the laws of *Forfeiture* and *Escheat*.
6. To transmit personal chattels to successors in a certain line; and so far, is against the laws of *Distribution*.
7. To give them the sole and exclusive right of banking under the national authority; and so far, is against the laws of *Monopoly*.
8. To communicate to them a power to make laws paramount to the laws of the states; for so they must be construed, to protect the institution from the control of the state legislatures; and so, probably, they will be construed.

I consider the foundation of the constitution as laid on this ground, that ‘ all powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states or to the people.’

(Twelfth amendment.) To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.

The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the constitution.

I. They are not among the powers specially enumerated. For these are,

1. A power to *lay taxes* for the purpose of paying the debts of the United States. But no debt is paid by this bill, nor any tax laid. Were it a bill to raise money, its origination in the Senate would condemn it by the constitution.

2. To 'borrow money.' But this bill neither borrows money, nor ensures the borrowing it. The proprietors of the bank will be just as free as any other money-holders, to lend or not to lend their money to the publick. The operation proposed in the bill, first to lend them two millions, and then borrow them back again, cannot change the nature of the latter act, which will still be a payment and not a loan, call it by what name you please.

3. 'To regulate commerce with foreign nations, and among the states, and with the Indian tribes.' To enact a bank, and to regulate commerce, are two very different acts. He who erects a bank creates a subject of commerce in its bills; so does he who makes a bushel of wheat, or digs a dollar out of the mines.— Yet neither of these persons regulates commerce thereby. To make a thing which may be bought and sold, is not to prescribe regulations for buying and selling.

Besides, if this were an exercise of the power of regulating commerce, it would be void, as extending as much to the internal commerce of every state, as to its external. For the power given to Congress by the constitution, does not extend to the internal regulation of the commerce of a state, (that is to say, of the commerce between citizen and citizen,) which remains exclusively within its own legislature; but to its external commerce only, that is to say, its commerce with another state, or with foreign nations, or with the Indian tribes. Accordingly, the bill does not propose the measure as a 'regulation of trade,' but as 'productive of considerable advantage to trade.'

Still less are these powers covered by any other of the special enumerations.

II. Nor are they within either of the general phrases, which are the two following.

1. 'To lay taxes to provide for the general welfare of the United States;' that is to say, 'to lay taxes *for the purpose* of providing for the general welfare.'—For the laying of taxes is the *power*, and the general welfare the *purpose* for which the power is to be exercised. Congress are not to lay taxes, *ad libitum*, for any purpose they please; but only to *pay the debts, or provide for the welfare of the Union*. In like manner, they are not to *do any thing they please* to provide for the general welfare, but only to *lay taxes* for that purpose. To consider the latter phrase, not as describing the purpose of the first, but as giving a distinct and independent power to do any act they please which might be for the good of the Union, would render all the preceding and subsequent enumerations of

power completely useless. It would reduce the whole instrument to a single phrase, that of instituting a Congress with the power to do whatever would be for the good of the United States; and as they would be the sole judges of the good or evil, it would be also a power to do whatever evil they pleased. It is an established rule of construction, when a phrase will bear either of two meanings, to give it that which will allow some meaning to the other parts of the instrument, and not that which will render all the others useless. Certainly, no such universal power was meant to be given them. It was intended to lace them up straitly within the enumerated powers, and those without which, as means, these powers could not be carried into effect. It is known that the very power now proposed *as a means*, was rejected *as an end* by the convention which formed the constitution. A proposition was made to them, to authorize Congress to open canals, and an amendatory one, to empower them to incorporate. But the whole was rejected; and one of the reasons of rejection urged in the debate was, that they then would have a power to erect a bank, which would render the great cities, where there were prejudices and jealousies on that subject, adverse to the reception of the constitution.

2. The second general phrase is, 'to make all laws *necessary* and proper for carrying into execution the enumerated powers.' But they can all be carried into execution without a bank. A bank, therefore, is not *necessary*, and consequently, not authorized by this phrase.

It has been much urged, that a bank will give great

facility or convenience to the collection of taxes. Suppose this were true; yet the constitution allows only the means which are 'necessary,' not those which are merely 'convenient,' for effecting the enumerated powers. If such a latitude of construction be allowed to this phrase, as to give any non-enumerated power, it will go to every one; for there is no one which ingenuity may not torture into a *convenience, in some way or other, to some one* of so long a list of enumerated powers. It would swallow up all the delegated powers, and reduce the whole to one phrase, as before observed. Therefore it was, that the constitution 'restrained them to the *necessary* means, that is to say, to those means without which the grant of the power would be nugatory.

But let us examine this 'convenience', and see what it is. The report on this subject states the only *general* convenience to be, the preventing the transportation and re-transportation of money between the States and the treasury. (For I pass over the increase of circulating medium ascribed to it as a merit, and which, according to my ideas of paper money, is clearly a demerit.) Every state will have to pay a sum of tax money into the treasury; and the treasury will have to pay in every state a part of the interest on the publick debt, and salaries to the officers of government resident in that state. In most of the states, there will be still a surplus of tax money, to come up to the seat of government, for the officers residing there. The payments of interest and salary in each state, may be made by treasury orders on the state collector.— This will take up the greater part of the money he

has collected in his state, and consequently, prevent the great mass of it from being drawn out of the state.— If there be a balance of commerce in favour of that state, against the one in which the government resides, the surplus of taxes will be remitted by the bills of exchange drawn for that commercial balance. And so it must be if there were a bank. But if there be no balance of commerce, either direct or circuitous, all the banks in the world could not bring us the surplus of taxes but in the form of money. Treasury orders, then, and bills of exchange, may prevent the displacement of the main mass of the money collected, without the aid of any bank; and where these fail, it cannot be prevented, even with that aid.

Perhaps, indeed, bank bills may be a more *convenient* vehicle than treasury orders. But a little *difference* in the degree of convenience, cannot constitute the necessity which the constitution makes the ground for assuming any non-enumerated power.

Besides, the existing banks will, without doubt, enter into arrangements for lending their agency, and the more favourable, as there will be a competition among them for it; whereas this bill delivers us up bound to the national bank, who are free to refuse all arrangements but on their own terms, and the publick not free, on such refusal, to employ any other bank. That of Philadelphia, I believe, now does this business by their post notes, which, by an arrangement with the treasury, are paid by any state collector to whom they are presented. This expedient alone, suffices to prevent the existence of that *necessity* which may justify the assumption of a non-enumerated power, as a means for

carrying into effect an enumerated one. The thing may be done, and has been done, and well done, without this assumption; therefore, it does not stand on that degree of *necessity* which can honestly justify it.

It may be said, that a bank, whose bills would have a currency all over the states, would be more convenient than one whose currency is limited to a single state. So it would be still more convenient, that there should be a bank whose bills should have a currency all over the world. But it does not follow from this superiour conveniency, that there exists any where a power to establish such a bank, or that the world may not go on very well without it.

Can it be thought that the constitution intended, that for a shade or two of *convenience*, more or less, Congress should be authorized to break down the most ancient and fundamental laws of the several states, such as those against mortmain, the laws of alienage, the rules of descent, the acts of distribution, the laws of escheat and forfeiture, and the laws of monopoly? Nothing but a necessity invincible by any other means, can justify such a prostration of laws, which constitute the pillars of our whole system of jurisprudence. Will Congress be too strait-laced to carry the constitution into honest effect, unless they may pass over the foundation laws of the state governments, for the slightest convenience to them?

The negative of the President is the shield provided by the constitution to protect against the invasions of the legislature, 1, the rights of the Executive; 2, of the judiciary; 3, of the state and state legislatures. The present is the case of a right remaining exclu-

sively with the states, and is, consequently, one of those intended by the constitution to be placed under his protection.

It must be added, however, that unless the President's mind, on a view of every thing which is urged for and against this bill, is tolerably clear that it is unauthorized by the constitution, if the *pro* and the *con* hang so even as to balance his judgement, a just respect for the wisdom of the legislature would naturally decide the balance in favour of their opinion. It is chiefly for cases where they are clearly misled by error, ambition or interest, that the constitution has placed a check in the negative of the President."

The opinions thus expressed, Mr. Jefferson, ever after, invariably maintained. In a letter to Mr. Gallatin, dated December 13, 1803, he thus expresses his fears of the overpowering influence of this monopoly: "This institution is one of the most deadly hostility existing against the principles and form of our constitution. The nation is, at this time, so strong and united in its sentiments, that it cannot be shaken at this moment. But suppose a series of untoward events should occur, sufficient to bring into doubt the competency of a republican government to meet a crisis of great danger, or to unhinge the confidence of the people in the publick functionaries; an institution like this, penetrating by its branches every part of the Union, acting by command and in phalanx, may, in a critical moment, upset the government. I deem no government safe which is under the vassalage of any self-constituted authorities, or any other authority than that of the nation, or its regular functionaries. What an obstruction could not,

this bank of the United States, with all its branch banks, be in time of war? It might dictate to us the peace we should accept, or withdraw its aids. Ought we then to give further growth to an institution so powerful, so hostile? That it is so hostile we know, first, from a knowledge of the principles of the persons composing the body of the directors in every bank, principal or branch; and those of most of the stockholders; second, from their opposition to the measures and principles of the government, and to the election of those friendly to them: and, third, from the sentiments of the newspapers they support. Now, while we are strong, it is the greatest duty we owe to the safety of our constitution, to bring this powerful enemy to a perfect subordination under its authorities. The first measure would be to reduce them to an equal footing only with other banks, as to the favours of the government. But in order to be able to meet a general combination of the banks against us in a critical emergency, could we not make a beginning towards an independent use of our own money, towards holding our own bank in all the deposits where it is received, and letting the Treasurer give his draft or note for payment at any particular place, which, in a well conducted government, ought to have as much credit as any private draft, or bank note, or bill, and would give us the same facilities which we derive from the banks? I pray you to turn this subject in your mind, and to give it the benefit of your knowledge of details; whereas I have only very general views of the subject."

The views of the Secretary of the Treasury (Mr. Hamilton) were equally decided in favour of the estab-

lishment. The President, after receiving their opinions, weighing their reasons, and examining the subject, deliberately made up his mind in favour of the constitutionality of the law, and gave it the sanction of his name. This question, for many years afterwards, agitated the publick mind, and divided the national councils; yet the subsequent establishment of a national bank, with a capital of thirty-five millions, with the approbation and consent of those heretofore opposed to it on constitutional grounds, must rescue the names of the authors of the first bank from the reproach then cast upon them for a violation of the constitution. Yet none will regret that it was adopted with so much hesitation, and that it led to so serious a discussion of the fundamental principles of our government.

In this year, 1791, Mr. Hammond arrived in the United States as minister from Great Britain. Soon after his arrival, a correspondence commenced between him and Mr. Jefferson, as Secretary of State, on the subjects in controversy between the two countries, particularly concerning the inexecution of the treaty of peace. The British minister having no authority to *conclude* a commercial treaty, the consideration of that subject was postponed.

In answer to the question put by the American Secretary as to the intentions of the British government in relation to the non-fulfilment of that article of the treaty of peace concerning the surrender of the western posts, the British minister said, that the execution of this article was suspended, in consequence of a breach of the fourth, fifth, and sixth articles, on the part of the United States; and that in all their discussions and

subsequent arrangements, these subjects could not be separated. It was agreed that each should state the particular acts done by the other, supposed to be in contravention of the treaty. Mr. Jefferson commenced on the part of the American government, in December, 1791, by repeating, that the garrisons had not been withdrawn from the western posts, according to the stipulations in the seventh article; that British officers had exercised jurisdiction over the country and inhabitants belonging to the United States in the vicinity of these posts; that American citizens had been excluded from the navigation of the great lakes; and that, contrary to the same article, a great number of negroes, the property of the citizens of the United States, had been carried away at the time of the evacuation of the city of New York.

The supposed infractions on the part of the United States, complained of by the British minister, were, 1. Impediments to the collection of debts contracted before the date of the treaty, by the acts and proceedings of the several states. 2. The non-restitution of the estates of the royalists, confiscated during the war. 3. The prosecution of the royalists, and the confiscation of their property, subsequent to the peace.

A statement of these infractions was made by the British minister, in March, 1792, with a reference to the various acts of the states on these subjects. In May following, an answer to this was given by the American Secretary showing that, with respect to property confiscated by the individual states, the fifth article merely stipulated that Congress should *recommend* to the legislatures of the several states, to provide

for its restitution. That Congress had done all in their power, and all they were bound by treaty to do, by recommending a compliance on the part of the states; but that it was left with the states themselves to comply or not, as they might think proper, and that this was so understood by the British negotiators, and by the British ministry, at the time the treaty was completed. He stated that no confiscations had taken place subsequent to the peace. He also claimed, that the first infractions were on the part of the British government, by withholding the western posts, and by the transportation of negroes; and that the delays and impediments which had taken place in the collection of British debts, were justifiable on that account. With respect to the allowance of interest on the debts, during the time the two countries were engaged in war, this, he said, was a point much litigated in the courts, and in some states were allowed, and in others disallowed.

This answer of the British Secretary was transmitted to the British court by Mr. Hammond; and the new state of things which soon after arose in Europe, prevented a reply, or a renewal of the negotiations in America.

The arrival of citizen Genet in this country as minister from France—his contumacious behaviour while here—his arming vessels in our ports, and enlisting American citizens to cruise against nations with whom the United States were at peace and in amity—his claiming a general admiralty jurisdiction, and assuming to try the validity of prizes within our territory—his exercising other acts of the highest sovereignty within the same—his projecting a hostile expedi-

tion from South Carolina and Georgia against the Floridas, and another against New Orleans and Louisiana from the state of Kentucky—his insulting and insolent communication to the President—his threatened appeal to the publick—the solicitation for his dismissal, and his final recall;—are facts too notorious for detail, and belong rather to the political history of the United States than to this brief biography. Those desirous of full and explicit information on these interesting subjects, can be gratified by consulting the "American State Papers" published under the inspection of Congress. Suffice it for us to say, that in all these transactions, Mr. Jefferson maintained the dignity of government with firmness and discretion; repelled the sophistry of the Frenchman with success; and the language and conduct he had used in his intercourse with the American government, and the unwarrantable expressions in which he had indulged when speaking of the illustrious man at its head, were treated with indignation or contempt. The spirit of friendship for the nation was carefully preserved, while the unauthorized aggressions of its agent were resisted, and his insinuations repelled and denied.

It may not be improper here to add, that Mr. Genet being recalled, his place was supplied by a successor, Mr. Fauchet, who arrived in the United States in February, 1794.

The Brissotine party in France, which sent Mr. Genet to America, had been supplanted by that of Robespierre; many of the Brissotines were sent to the guillotine; and there can be no doubt, that Genet himself was doomed to the same fate. His successor had

special orders to send him back to France, and for this purpose to use force, if necessary.

Fauchet, therefore, immediately after his arrival, finding that Mr. Genet did not intend to return, but was rather inclined to stay where he was, requested liberty to arrest and send him back, agreeably to his instructions. This was refused by the President. Still desirous of effecting his object, he inquired whether the Executive would oppose his decoying him on board of a French vessel, under the pretence of honouring him with an entertainment, and then sailing with him for France. The President not only refused to wink at this clandestine mode of proceeding, but declared he would resist it, if necessary, by force. By this upright and impartial conduct, the president, no doubt, saved Mr. Genet from the guillotine.*

In January, 1794, Mr. Jefferson resigned the office of Secretary of State, and was succeeded by Mr. Randolph. He resigned, with an intention of never again resuming any publick office. "For as to myself," says he, in a letter to Mr. Madison, "the subject has been thoroughly weighed and decided on, and my retirement from office has been meant from all office, high or low, without exception. My health is entirely broken down within the last eight months; my age requires that I should place my affairs in a clear state; these are sound if taken care of, but capable of considerable dangers if longer neglected; and above all things, the delights I feel in the society of my family, and in the agricultural pursuits in which I am so ea-

gerly engaged. The little spice of ambition which I had in my younger days has long since evaporated, and I set still less store by a posthumous than present name. In stating to you the heads of reasons which have produced my determination, I do not mean an opening for future discussion, or that I may be reasoned out of it. The question is for ever closed with me."

The whole time of Mr. Jefferson was now devoted to the education of his family, the cultivation of his estate, the intercourse of friendship, and the pursuit of those philosophical studies which he had so long abandoned, but to which he now returned with revived ardour. In the retirement of his closet, and amid such employments, the biographer has but little to relate, and detail would be monotonous to the reader; yet, perhaps, we will be pardoned for introducing the remarks of two distinguished French travellers, who visited him at different times, and enjoyed his privacy. "His conversation," says the Duke de Liancourt, who visited Monticello in '94, "is of the most agreeable kind, and he possesses a stock of information not inferiour to that of any other man. In Europe he would hold a distinguished rank among men of letters, and as such he has already appeared there. At present he is employed with activity in the management of his farms and buildings, and he orders, directs, and pursues, in the minutest detail, every branch of business relating to them. The author of this sketch found him in the midst of harvest, from which the scorching heat of the sun does not prevent his attendance. His negroes are nourished, clothed, and treated as well as white servants could be. As he cannot expect any assistance

from the two small neighbouring towns, every article is made on his farm; his negroes are cabinet makers, carpenters, masons, bricklayers, &c. The children he employs in a nail manufactory, which yields already a considerable profit. The young and old negroes spin for the clothing of the rest. He animates them by rewards and distinctions; in fine, his superiour mind directs the management of his domestick concerns with the same ability, activity, and regularity, which he evinced in the conduct of publick affairs, and which he is calculated to display in every situation of life."

Twelve years before this, he had made the same impression on the Marquis de Chastellux, a Major General in the French army, and who had come to this country with Lieutenant General Count Rochambeau. "The conversation," writes the Marquis, "continued, and brought us insensibly to the foot of the mountains. On the summit of one of them we discovered the house of Mr. Jefferson, which stands preeminent in these retirements; it was himself who built it, and preferred this situation; for although he possessed considerable property in the neighbourhood, there was nothing to prevent him from fixing his residence wherever he thought proper. But it was a debt nature owed to a philosopher and a man of taste, that in his own possessions he should find a spot where he might best study and enjoy her. He calls his house Monticello, (in Italian, Little Mountain,) a very modest title, for it is situated upon a very lofty one, but which announces the owner's attachment to the language of Italy; and, above all, to the fine arts, of which that country was

the cradle, and is still the asylum. After ascending by a tolerably commodious road for more than half an hour, we arrived at Monticello. This house, of which Mr. Jefferson was the architect, and often one of the workmen, is rather elegant, and in the Italian taste, though not without a fault: it consists of one large square pavilion, the entrance of which is by two porticoes ornamented with pillars. The ground floor consists chiefly of a very large lofty saloon, which is to be decorated entirely in the antique style; above it is a library of the same form; two small wings, with only a ground floor, and attic story, are joined to this pavilion, and communicate with the kitchen, offices, &c. which will form a kind of basement story, over which runs a terrace. My object in this short description is only to show the difference between this and the other houses of the country; for we may safely aver, that Mr. Jefferson is the first American who has courted the fine arts to know how he should shelter himself from the weather. But it is on himself alone I ought to bestow my time. Let me describe to you a man, not yet forty, tall, and with a mild and pleasing countenance, but whose mind and understanding are ample substitutes for every exterior grace. An American, who, without ever having quitted his own country, is at once a musician, skilled in drawing, a geometrician, an astronomer, a natural philosopher, legislator, and statesman. A Senator of America, who sat for two years in that famous Congress which brought about the revolution; a Governour of Virginia, who filled this difficult station during the invasions of Arnold, of Phillips, and of Cornwallis; a philosopher, in vol-

untary retirement from the world and publick business, inasmuch only as he can flatter himself with being useful to mankind. A mild and amiable wife, charming children, of whose education he himself takes charge, a house to embellish, great provisions to improve, and the arts and sciences to cultivate, these are what remain to Mr. Jefferson, after having played a principal character on the theatre of the new world, and which he preferred to the honourable commission of Minister Plenipotentiary in Europe. The visit which I made him was not unexpected, for he had long since invited me to come and pass a few days with him, in the centre of the mountains; notwithstanding which, I found his first appearance serious, nay, even cold; but before I had been two hours with him, we were as intimate as if we had passed our whole lives together; walking, books, but above all, a conversation always varied and interesting, made four days pass away like so many minutes. Sometimes natural philosophy, at others politicks, or the arts, were the topics of our conversation, for no object had escaped Mr. Jefferson; and it seemed as if from his youth he had placed his mind, as he had done his house, on an elevated situation, from which he might contemplate the universe."

From this retirement, Mr. Jefferson writes to Mr. Giles, April 27, 1795, "I shall be rendered very happy by the visit you promise me. The only thing wanting to make me completely so, is the more frequent society of my friends. It is the more wanting, as I am become the more firmly fixed to the glebe. If you visit me as a farmer, it must be as a condisciple, for I am but a

learner ; an eager one, indeed, but yet desperate, being too old now to learn a new art. However, I am as much delighted and occupied with it as if I was the greatest adept. I shall talk with you about it from morning till night, and put you on very short allowance as to political aliment. Now and then a pious ejaculation for the French and Dutch republicans, returning with due despatch to clover, potatoes, wheat, &c."

But the situation of the country and the desires of many, warmly expressed, did not permit Mr. Jefferson long to enjoy the pleasures of a private life; and he was drawn most reluctantly from his retirement. General Washington had, for some time, contemplated a retirement from office, and in his farewell address to the people of the United States, he had, in the month of September, 1796, declined being considered any longer a candidate for it. The person in whom alone the voice of the whole nation could be united, having thus withdrawn, the two great parties, in which the country was then divided, respectively brought forward their chiefs. Mr. Jefferson was supported by the one, Mr. Adams by the other. "The first wish of my heart," says the former, in a letter to Mr. Madison, "was, that you should have been proposed for the administration of the government. On your declining it, I wish any body rather than myself; and there is nothing that I so anxiously hope, as that my name may come out either second or third. These would be indifferent to me; as the last would leave me at home the whole year, and the other two thirds of it. It seems also possible, that the Representatives may

be divided. This is a difficulty from which the constitution has provided no issue. It is both my duty and inclination, therefore, to relieve the embarrassment, should it happen; and in that case, I pray you and authorize you fully, to solicit on my behalf, that Mr. Adams may be preferred. He has always been my senior, from the commencement of our publick life, and the expression of the publick will being equal, this circumstance ought to give him the preference. And when so many motives will be operating to induce some of the members to change their vote, the addition of my wish may have some effect to preponderate the scale."

In February, the votes for the first and second magistrates of the Union were opened and counted in the presence of both houses; and the highest number appearing in favour of Mr. Adams, and the second in favour of Mr. Jefferson, the first was declared to be President, and the second the Vice President of the United States for four years, to commence on the fourth day of the ensuing March.

Most of the four succeeding years was passed tranquilly by Mr. Jefferson, in his favourite retreat at Monticello. During this period, we find but little notice of him among the publick records of the day, and consequently not much to communicate to the reader.

The following extract from one of his letters written at this time, and in which he frankly and explicitly exhibits his political principles, feelings, and attachments, may not be entirely uninteresting: "I do, then, with sincere zeal, wish an inviolable preservation of our present federal constitution, according to the true sense in which it was adopted by the states, that in

which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies: and I am opposed to the monarchizing its features by the forms of its administration, with a view to conciliate a first transition to a President and Senate for life, and from that to a hereditary tenure of these offices, and thus to worm out the elective principle. I am for preserving to the states the powers not yielded by them to the Union; and to the legislature of the Union its constitutional share in the division of powers; and I am not for transferring all the powers of the states to the general government, and all those of that government to the Executive branch. I am for a government rigorously frugal and simple, applying all the possible savings of the publick revenue to the discharge of the national debt; and not for a multiplication of officers and salaries merely to make partisans, and for increasing, by every device, the publick debt, on the principle of its being a publick blessing. I am for relying, for internal defence, on our militia solely, till actual invasion, and for such a naval force only as may protect our coast and harbours from such depredations as we have experienced; and not for a standing army in time of peace, which may overawe the publick sentiment; nor for a navy which, by its own expense, and the eternal wars into which it will implicate us, will grind us with publick burdens, and sink us under them. I am for free commerce with all nations; political connexion with none; and little or no diplomattick establishment: and I am not for linking ourselves by new treaties with the quarrels of Europe; entering that field of slaughter to preserve their balance, or joining in

the confederacy of kings to war against the principles of liberty. I am for freedom of religion, and against all manœuvres to bring about a legal ascendancy of one sect over another; for freedom of the press, and against all violations of the constitution to silence by force, and not by reason, the complaints of criticisms, just or unjust, of our citizens against the conduct of their agents. And I am for encouraging the progress of science in all its branches; and not for raising a hue and cry against the sacred name of philosophy; for awing the human mind by stories of raw-head and bloody-bones to a distrust of its own vision, and to repose implicitly on that of others; to go backwards instead of forwards to look for improvement; to believe that government, religion, morality, and every other science were in their highest perfection in the ages of the darkest ignorance, and that nothing can ever be devised more perfect than what was established by our forefathers. To these I will add, that I was a sincere well wisher to the success of the French revolution, and still wish it may end in the establishment of a free and well-ordered republick; but I have not been insensible under the atrocious depredations they have committed on our commerce. The first object of my heart is my own country. In that is embarked my family, my fortune, and my own existence. I have not one farthing of interest, nor one fibre of attachment out of it, nor a single motive of preference of any one nation to another, but in proportion as they are more or less friendly to us."

But a new election was now approaching, and the hopes and wishes of the republican party were again

fixed upon Mr. Jefferson. At this time party divisions were drawn to a strong and inseparable line, and were particularly distinguished by virulence and acrimony. They rested, in a great measure, upon points of foreign policy, and on foreign predilections or aversions. Mr. Adams had been rendered unpopular by his apparent apathy towards the French revolution, and by the charges repeatedly made, that himself and party were favourably inclined towards Great Britain. The expenditure of money under his administration, for building a navy, and for other purposes, was thought by many to have been impolitick, or useless; and the enactment of an alien law, by which the President was authorized to compel suspected foreigners to leave the country; and of the sedition law, which provided that the authors and publishers of false and malicious accusations against the President and members of Congress should be prosecuted and criminally punished, was loudly and vehemently condemned. Under the sedition law, several persons, and those of considerable notoriety on the political arena, had already been imprisoned. The sympathies of the people were awakened in their behalf, and inflammatory writers had aroused their passions and incited their indignation against those at whose instance they were confined.—The federalists supported Mr. Adams and General Pinckney; the republicans, Mr. Jefferson and Colonel Burr; and both parties being animated by the prospect of success, the contest was maintained with uncommon ardour.

But a most untoward and unlooked-for event now occurred. By the constitution, as it existed at that period,

each elector voted for two men without designating which was to be President; and he who obtained the greatest number of votes was to be President, and the nearest to him Vice President. Mr. Jefferson and Colonel Burr had an equal number of votes, and the election, according to the constitution, was to be decided by the House of Representatives. Here it also most singularly occurred, that the states were, for a long time, equally divided; and hopes were expressed by his friends, and fears reluctantly admitted by his opponents, that Mr. Burr would be elected to the office of President. Week after week were the people kept in intense solicitude, while the contest was thus maintained; again and again the voting went round, and the result continued the same; and every exertion was made to raise to the highest office of the nation, a man who had not received for that purpose a solitary vote of the people. The time limited by the constitution for the election of a President had nearly arrived, and there was danger that government must come to a pause, or be resolved into its original elements. At length, after thirty-five ineffectual ballots, one of the representatives of the state of Maryland made publick the contents of a letter to himself, written by Mr. Burr, in which he declined all pretensions to the Presidency, and authorized him to disclaim, in his name, any competition with Mr. Jefferson. On this specifick declaration, two federal members, who represented the states which had heretofore voted blank, withdrew, and permitted the republican members from those states to become a majority. Consequently, on the thirty-sixth

balloting, Mr. Jefferson was elected President, and Colonel Burr became, of course, Vice President.

On the fourth of March, 1801, he took the oath of office and was inaugurated President of the United States. In December ensuing, he sent his first message to the national legislature. On this occasion, he departed from the practice which had hitherto prevailed, and instead of personally delivering a speech to the two houses of Congress, he transmitted to them a written message, which was first read by the Senate, and then sent to the House of Representatives. The example thus set, has since been followed by every successive Executive. This message increased the reputation of Mr. Jefferson, and was worthy of the pen which drafted the Declaration of Independence. It has often been referred to as containing the manual of democracy, and the theoretical outlines of a free government. We shall here introduce it, not only as a specimen of composition which does honour to the writer, but as exhibiting the liberal and patriotick principles of the man.

FRIENDS AND FELLOW CITIZENS,

Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow citizens which is here assembled, to express my grateful thanks for the favour with which they have been pleased to look towards me; to declare a sincere consciousness, that the task is above my talents, and, that I approach it with those anxious and awful presentiments which the greatness of the charge, and the weakness of my powers, so justly inspire. A rising nation, spread over a wide and fruitful land—traversing all the seas with the rich productions of their industry—engaged in commerce with nations who feel power and forget right—advancing rapidly to destinies beyond the reach of mortal eye—when I contemplate these transcendent objects, and see the honour, the happiness, and the hopes of this beloved country, committed to the issue and the auspices of

this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair, did not the presence of many, whom I here see, remind me, that in the other high authorities provided by our constitution, I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked, amidst the conflicting elements of a troubled world.

During the contest of opinion through which we have past, the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers, unused to think freely, and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that though the will of the majority is, in all cases, to prevail, that will, to be rightful, must be reasonable—that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression. Let us then, fellow citizens, unite with one heart, and one mind. Let us restore to social intercourse, that harmony and affection, without which liberty, and even life itself, are but dreary things; and let us reflect, that, having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotick, as wicked, and capable of as bitter and bloody persecutions.

During the throes and convulsions of the ancient world—during the agonizing spasms of infuriated man, seeking, through blood and slaughter, his long lost liberty—it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore—that this should be more felt and feared by some, and less by others—and should divide opinions as to measures of safety. But every difference of opinion is not a difference of principle. We have called by different names, brethren of the same principle. **WE ARE ALL REPUBLICANS; WE ARE ALL FEDERALISTS.** If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed, as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know, indeed, that some honest men fear that a republican government cannot be strong—that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm, on the theoretick and visionary fear, that this government, the world's best hope, may, by possibility, want energy to preserve

itself? I trust not. I believe this, on the contrary, the strongest government on earth: I believe it the only one, where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the publick order as his own personal concern. Sometimes it is said, that man cannot be trusted with the government of himself: can he then be trusted with the government of others? or have we found angels, in the form, of kings, to govern him? Let history answer this question.

Let us, then, with courage and confidence, pursue our own federal and republican principles—our attachment to union and representative government. Kindly separated, by nature and a wide ocean, from the exterminating havoock of one quarter of the globe—too high-minded to endure the degradations of the others—possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation—entertaining a due sense of our equal right to the use of our own faculties—to the acquisitions of our own industry—to honour and confidence from our fellow citizens; resulting not from birth, but from our actions, and their sense of them—enlightened by a benign religion, professed, indeed, and practised in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man—acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter—with all these blessings, what more is necessary to make us a happy and prosperous people?—Still one thing more, fellow citizens, a wise and frugal government, which shall restrain men from injuring one another; shall leave them otherwise free to regulate their own pursuits of industry and improvement; and shall not take from the mouth of labour the bread it has earned. This is the sum of good government; and this is necessary to close the circle of our felicities.

About to enter, fellow citizens, on the exercise of duties, which comprehend every thing dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men of whatever state or persuasion, religious or political—peace, commerce, and honest friendship with all nations—entangling alliances with none—the support of the state governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies—the preservation of the general government in its whole constitutional vigour, as the sheet anchor of our peace at home, and safety abroad—a jealous care of the right of election by the people—a mild and safe corrective of abuses, which are lopped by the sword of revolution, where peaceable remedies are unprovided—absolute acquiescence in the

decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism—a well-disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them—the supremacy of the civil over the military authority—economy in the publick expense, that labour may be lightly burdened—the honest payment of our debts, and sacred preservation of publick faith—encouragement of agriculture, and of commerce, as its handmaid—the diffusion of information, and arrangement of all abuses at the bar of the publick reason—freedom of religion—freedom of the press—and freedom of person, under the protection of the habeas corpus, and trials by juries impartially selected. These principles form the bright constellation, which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages, and blood of our heroes, have been devoted to their attainment. They should be the creed of our political faith—the text of civick instruction—the touchstone by which to try the services of those we trust; and should we wander from them, in moments of error or alarm, let us hasten to retrace our steps, and to regain the road which alone leads to peace, liberty, and safety.

I repair, then, fellow citizens, to the post you have assigned me. With experience enough, in subordinate offices, to have seen the difficulties of this, the greatest of all, I have learned to expect, that it will rarely fall to the lot of imperfect man, to retire from this station with the reputation, and the favour, which bring him into it. Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose preeminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only, as may give firmness and effect to the legal administration of your affairs. I shall often go wrong, through defect of judgement. When right, I shall often be thought wrong, by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional; and your support against the errors of others, who may condemn what they would not, if seen in all its parts. The approbation implied by your suffrage, is a great consolation to me for the past; and my future solicitude will be, to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choices it is in your power to make. And may that infinite power, which rules the destinies of the universe, lead our councils to what is best, and give them a favourable issue for our peace and prosperity.

TH: JEFFERSON.

It would not be consistent with the brevity of these memoirs, nor interesting to the reader, to enter into the details of Mr. Jefferson's administration. All the facts are recent, and the principal ones well known. Neither, perhaps, would it be proper. The transactions of his administration, which excited so much feeling, have not yet reached the moment when they may become subjects for dispassionate investigation. They have not yet parted with the heat which the excited spirit of the period gave them.

The greatest measure of Mr. Jefferson's first administration was the acquisition of Louisiana. He early became convinced of the absolute necessity of obtaining this territory. "Whilst the prosperity and sovereignty of the Mississippi and its waters"—we use his own language—"secured an independent outlet for the produce of the western states, and an uncontrolled navigation through their whole course, free from collision with other powers, and the dangers to our peace from that source, the fertility of the country, its climate and extent, promise, in due season, important aids to our treasury, an ample provision for our posterity, and a wide spread for the blessings of freedom and equal laws." This was the most important acquisition ever made by our country. The territory acquired included all the waters of the Missouri and Mississippi, and more than doubled the area of the United States; while the new part was not inferior to the old in soil, climate, productions, and important communications.—And while the Canadas have been haunting the British Parliament for seventy years, like a wrathful ghost, constantly harassed with a legislation that never

satisfies them, overwhelmed with favours that do not propitiate, and taunted with concessions which are as grateful to a proud colony, as alms-bread is to a proud man, Louisiana has sprung up at once into an affectionate, congenial member of the confederacy. The sum of fifteen millions of dollars was the price paid for this acquisition; and on the twentieth of December, 1803, it was formally surrendered to the United States by the commissioner of France.

The period for a new election was now approaching, and so much had Mr. Jefferson's popularity increased during his administration, that he was elevated a second time to the Presidency, by a majority which had risen from eight votes to one hundred and forty-eight. The venerable George Clinton of the state of New York was, at the same time, chosen Vice President; and both, according to custom, were sworn into office on the fourth of March, 1805.

Mr. Jefferson entered upon the arduous duties of his lofty station, deeply impressed with the confidence reposed in him by his fellow citizens; and he asserted his determination, as he believed it to be his duty, to be guided solely by those principles which had thus been sanctioned by the unequivocal approbation of his country. "I do not fear," he said, "that any motives of interest may lead me astray; I am sensible of no passion which would seduce me knowingly from the path of justice; but the weaknesses of human nature, and the limits of my own understanding, will produce errors of judgement, sometimes injurious to your interests; I shall need, therefore, all the indulgence I have heretofore experienced—the want of it will certainly not

lessen with increasing years. I shall need, too, the favour of that Being in whose hands we are, who led our forefathers, as Israel of old, from their native land, and planted them in a country flowing with all the necessities and comforts of life; who has covered our infancy with his providence, and our riper years with his wisdom and power."

Almost immediately after the election of Mr. Jefferson, the conduct of Colonel Burr began to attract the vigilant eye of the chief magistrate. This gentleman, notwithstanding his former services, and his undoubted talents, had subjected himself to merited obloquy. He had long been discarded by the republicans, and a duel with General Hamilton, which terminated fatally to the latter, had rendered him an object of abhorrence to the federalists, and degraded him in the eyes of the Union. Thus situated, soured by disappointments, and denied the confidence of his fellow citizens, he had retired into the western states, a stricken, and, as he conceived, an injured man. In the autumn of 1806, his mysterious movements attracted the attention of government. He had purchased and was building boats on the Ohio, and engaging men to descend that river. His declared purpose was to form a settlement on the banks of the Wachita, in Louisiana; but the character of the man, the nature of his preparations, and the incautious disclosures of his associates, led to the suspicion that his true object was either to gain possession of New Orleans, and erect into a separate government the country watered by the Mississippi and its branches, or to invade, from the territories of the United States, the rich Spanish province of Mexico.

But whatever may have been the ultimate object of his plans, no sooner had Mr. Jefferson received information that a number of private individuals were combining together, arming and organizing themselves contrary to law, with the avowed object of carrying on some military expedition against the territories of Spain, than he took immediate measures to arrest and bring to justice its authors and abettors. Colonel Burr, finding his scheme thus discovered and defeated, and hearing, at the same time, that several persons suspected of being his accomplices had been arrested, fled in disguise from Natchez, and was apprehended on the Tombigbee. Two indictments were found against him, one charging him with treason against the United States, the other with preparing and commencing an expedition against the dominions of Spain. He was bound over to take his trial on the last charge alone, the Chief Justice thinking there was not sufficient evidence of an overt act in the former. On the 17th of August, 1807, he was brought to trial before Judge Marshall, Chief Justice of the United States. The assemblage of individuals was fully proved; but there was not sufficient legal evidence to establish the presence of Colonel Burr, or the use of any force against the authority of the United States, and the consequence was, an acquittal by the jury. The people, however, believed him guilty, and in this opinion the President largely shared.

The wars produced by the French revolution still continued to agitate and convulse the whole of Europe. While, on the one hand, the kings of the earth were repelled from the soil of France, and forced, by

the genius of one man, to summon every resource, and exert every skill, for the preservation of their own dominions; on the other, the navy of England traversed the ocean unrestrained, and rode triumphant on every sea. In the fierce animosity of these two great belligerents, the rights of the unoffending neutral were but little respected. And few ships were found on the ocean except those of the United States and Great Britain. "The latter," says a clear, comprehensive, and classical writer, "having always found it impossible to man her numerous fleets by volunteer enlistments, had been accustomed to resort to impressment, or seizing by force her subjects, and compelling them to serve as sailors on board her ships of war. Soon after the peace of 1783, she claimed a right to search for and seize them, even on board of neutral vessels while traversing the ocean. In the exercise of this pretended right, citizens of the United States, sometimes by mistake and sometimes by design, were seized, dragged from their friends, transported to distant parts of the world, compelled to perform the degrading duty of British sailors, and to fight with nations at peace with their own. Against this outrage upon personal liberty, and the rights of American citizens, Washington, Adams, and Jefferson had remonstrated in vain. The abuse continued, and every year added to its enormity, until a feeling of resentment was aroused worthy the best period of the Roman republic. But not in this mode only were the rights of the United States invaded and their interest sacrificed on the ocean. The carrying trade afforded a harvest too rich and too tempting to British cupidity to be long enjoyed unmolested.

American ships carrying to Europe the produce of French colonies, were, in an early stage of the war, captured by British cruisers, and condemned by their courts as lawful prize. Several European ports under the control of France were declared by British orders in council, dated in May, 1806, to be in a state of blockade, although not invested with a British fleet, and American vessels attempting to enter those ports, were also captured and condemned. France and her allies suffered, as well as the United States, from these transgressions against the laws of nations. And her vengeance fell, not so much upon the belligerent inflicting the injury, as upon the neutral enduring without resenting and repelling it. By a decree issued at Berlin, in November, 1806, the French Emperour declared the British islands in a state of blockade, and of course authorized the capture of all neutral vessels attempting to trade with those islands. From these measures of both nations, the commerce of the United States suffered severely, and their merchants loudly demanded redress and protection.

“Bonaparte having declared his purpose of enforcing with rigour the Berlin decree, and the British government having solemnly asserted the right of search and impressment, and having intimated their intention to adopt measures in retaliation of the French decree, Mr. Jefferson recommended to Congress that the seamen, ships and merchandise should be detained in port to preserve them from the dangers which threatened them on the ocean. A law laying an indefinite embargo was in consequence enacted. A hope to coerce the belligerent powers to return to the observance of the

laws of nations, by depriving them of the benefits derived from the trade of America, was doubtless a concurring (and perhaps the strongest) motive for passing the law."

This enactment, at the time of its passage, was received by many with clamour and discontent, and the distress which the people endured from its operation was unmitigated and severe. But the wisdom of the measure was shortly manifested, and before a year had expired, overtures were made by the British government which indicated a disposition to recede from or meliorate their tyrannical edicts. These overtures were succeeded by negotiations, which finally terminated in a repeal of the most objectionable features of the orders in council.

The period had now arrived, when Mr. Jefferson was to enjoy that retirement and philosophick ease which he had so long coveted, and to which he was so ardently attached. Publick employment, and office, had never been his choice, and nothing but duty to his country had ever drawn him from the retreats of Monticello. Believing that no person should hold the office of chief magistrate longer than eight years, he had previously announced his intention that, when his service had completed the stipulated term, he should retire to private life. He had now reached the age of sixty-five years, forty of which had been employed in the arduous duties of publick life. No one had served the country with more industry, zeal, and benefit, and no one had sacrificed more personal comfort for that purpose; and he now retired from the "scene of his glory," before age had dimmed his eye, or impaired his usefulness. He relinquished his high and honourable

station, carrying with him the best wishes of all, and knowing at the same time that his name was associated with the most interesting events in the history of his country, and there was awarded to him unsullied fame and distinguished reputation. His parting language to Congress was as follows :

“ Availing myself of this, the last occasion which will occur of addressing the two houses of the legislature at their meeting, I cannot omit the expression of my sincere gratitude, for the repeated proofs of confidence manifested to me by themselves and their predecessors, since my call to the administration, and the many indulgences experienced at their hands. The same grateful acknowledgments are due to my fellow citizens generally, whose support has been my great encouragement under all embarrassments. In the transaction of their business, I cannot have escaped error. It is incident to our imperfect nature. But I may say with truth, my errors have been of the understanding, not of intention; and that the advancement of their rights and interests has been the constant motive of every measure. On these considerations, I solicit their indulgence. Looking forward with anxiety to their future destinies, I trust, that in their steady character, unshaken by difficulties, in their love of liberty, obedience to law, and support of publick authorities, I see a sure guarantee of the permanence of our republick; and retiring from the charge of their affairs, I carry with me the consolation of a firm persuasion, that Heaven has in store for our beloved country, long ages to come of prosperity and happiness.”

CHAPTER V.

FROM this period, with the exception of excursions which business required, Mr. Jefferson passed the rest of his life altogether at Monticello ; which was a continued scene of the blandest and most liberal hospitality. Into this retirement of his domestick life we cannot penetrate, unless through the medium of his correspondence. Of this, fortunately, we are left in possession, and there is a charm and interest thrown about his letters written at this time, which amply compensate for their perusal. There is in them, said a competent judge, after their perusal, so much remembrance of the labours and excitements of earlier days ; so much living over past times in the pleasant and somewhat pensive garrulity of age ; so much clinging after old affections not yet chilled, and gathering again around him what had been casually dropped in the bustling journey of life ; such ardent desires to retain the attachments which yet remained, to renew those that had been weakened by accident and time, and to weave more strongly in his heart the affections which were rapidly becoming more few ; that we have turned to them again and again, and have entered fully into the feeling with which he contended, even to the last, to take up his pen in affectionate communion with his

friends, though suffering severely from the infirmities of age. "While writing to you," he says to Mr. Adams, "I lose the sense of these things in the recollection of ancient times, when youth and health made happiness out of every thing. I forget for a while the hoary winter of age, when we can think of nothing but how to keep ourselves warm, and how to get rid of our heavy hours, until the friendly hand of death shall rid us of all at once."

And of this correspondence, the most interesting portion is that which Mr. Jefferson, towards the close of his life, held with Mr. Adams. They had, says another writer, been coadjutors in former days of trial and danger. They had laboured side by side in the same field. At length the separation of parties estranged them from each other. Each retired from the helm of state to his farm, his family, and his books. Their early companions had almost all disappeared; and they left alone among a new generation. The jealousies inseparable from their late rivalry, neither of them wished any longer to feel or acknowledge, and whatever remained gradually gave place to the recollections of their ancient friendship. The infirmity of advanced age, which shows itself in the forgetfulness of recent events, while those of former days are still fresh in the mind, came in aid of their good feelings. They more readily forgot the recent estrangement, and more easily returned to their former attachment. There was only wanting something to give occasion to the renewal of their correspondence. It thus occurred. Two of Mr. Jefferson's neighbours having, by the invitation of Mr. Adams, passed the day with him

at Braintree, he remarked upon the injustice done by the licentiousness of the press to Mr. Jefferson, adding, "I always loved Jefferson, and still love him." Mr. Jefferson, in relating this anecdote, subjoins, "This is enough for me. I only needed this acknowledgment to revive towards him all the affections of the most cordial moments of our lives." The ensuing remarks do honour to his candour and liberality.

"Changing a single word only in Dr. Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgements; and it is known to those who have ever heard me speak of Mr. Adams, that I have ever done him justice myself, and defended him when assailed by others, with the single exception as to his political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialized by mere differences of opinion in politics, in religion, in philosophy, or in any thing else. His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience. I never withdrew from the society of any man on this account, although many have done it from me; much less should I do it from one with whom I had gone through with hand and heart so many trying scenes. I wish, therefore, but for an appropriate occasion to express to Mr. Adams my unchanged affections for him."

Their former friendship thus revived, they continued to communicate to each other their opinions on government, morals, and religion. They amused their leisure by reviewing the speculations of Pythagoras

and Plato, of Epicurus and Cicero, and derived a new pleasure from the studies of their youth, by applying to them the results of their long experience. The armour which, like old soldiers after their dismissal from honourable service, they could no longer use, it was their pride to keep polished, and retain in their sight. While the busy world around them was engaged in the contentions of party, or of business, they were peacefully interchanging their reminiscences of early life; inquiring after their surviving and departed companions; correcting inaccurate relations of their own history; or comparing their reflections on the books which had become their resource and solace. Their strongest and latest feelings were in favour of the liberty of men and of nations: and it is a most interesting fact, that the last words of Mr. Adams were those of patriotick ejaculation, responsive to the bell which then rung in celebration of the anniversary of our independence; and the last letter of Mr. Jefferson was an expression of a hopeless wish "to participate with his friends in the rejoicings on that day." The same day which had marked the most honourable epoch of their lives, was that in which Providence gave them the privilege to die.

It is from this portion of his works, too, as has been observed, that we obtain the best view of his general character and sentiments, which are poured out in his letters with full and unaffected freedom; and it is from these that we shall make such extracts as may impress on our readers more correctly and clearly his peculiar personal traits. His habits and occupations, after his retirement from office enabled him to arrange

them with more satisfaction and regularity, are best described in his own words, which we select from different parts of his correspondence.

" I live so much like other people, that I might refer to ordinary life as the history of my own. Like my friend Dr. Rush, I have lived temperately; eating little animal food, and that not as an aliment so much as a condiment for the vegetables, which constitute my principal diet. I double, however, the doctor's glass and a half of wine, and even treble it with a friend; but halve its effects by drinking the weak wines only.— The ardent wines I cannot drink, nor do I use ardent spirits in any form. Malt liquors and cider are my table drinks, and my breakfast, like that also of my friend, is of tea and coffee. I have been blest with organs of digestion which accept and concoct, without ever murmuring, whatever the palate chooses to consign to them, and I have not yet lost a tooth by age. I was a hard student until I entered on the business of life, the duties of which leave no idle time to those disposed to fulfil them; and now retired, and at the age of seventy-six, I am again a hard student. Indeed, my fondness for reading and study revolts me from the drudgery of letter writing; and a stiff wrist, the consequence of an early dislocation, makes writing both slow and painful. I am not so regular in my sleep as the doctor says he was, devoting to it from five to eight hours, according as my company or the books I am reading interests me; and I never go to bed without an hour or half hour's previous reading of something moral, whereon to ruminate in the intervals of sleep. But whether I retire to bed early or late, I rise

with the sun. I use spectacles at night, but not necessarily in the day, unless in reading small print. My hearing is distinct in particular conversation, but confused when several voices cross each other, which unfits me for the society of the table. I have been more fortunate than my friend in the article of health. So free from catarrhs, that I have not had one (in the breast, I mean) on an average of eight or ten years through life. I ascribe this exemption partly to the habit of bathing my feet in cold water every morning, for sixty years past. A fever of more than twenty-four hours I have not had above two or three times in my life.— A periodical headache has afflicted me occasionally, once, perhaps, in six or eight years, for two or three weeks at a time, which seems now to have left me. Retired at Monticello, in the bosom of my family, and surrounded by my books, I enjoy a repose to which I was long a stranger. My mornings are devoted to correspondence. From breakfast to dinner, I am in my shops, my garden, or on horseback among my farms; from dinner to dark, I give to society and recreation with my neighbours and friends; and from candle light to early bed time, I read. My health is perfect; and my strength considerably reinforced by the activity of the course I pursue; perhaps it is as great as usually falls to the lot of one of my age. I talk of ploughs and harrows, seeding and harvesting, with my neighbours, and of politicks, too, if they choose, with as little reserve as the rest of my fellow citizens, and feel at length the blessing of being free to say and do what I please, without being responsible for it to any mortal. A part of my occupation, and by

no means the least pleasing, is the direction of the studies of such young men as ask it. They place themselves in the neighbouring village, and have the use of my library and counsel, and make a part of my society. In advising the course of their reading, I endeavour to keep their attention fixed on the main objects of all science, the freedom and happiness of man. So that coming to bear a share in the councils and government of their country, they will ever keep in view the sole objects of all legitimate government. As to politicks, of which I have taken final leave, I think little of them, and say less. I have given up newspapers in exchange for Tacitus and Thucydides, for Newton and Euclid, and I find myself much the happier. Sometimes, indeed, I look back to former occurrences, in remembrance of our old friends and fellow labourers who have fallen before us. Of the signers of the Declaration of Independence, I see now living, not more than half a dozen north of the Potomack, and on this side, myself alone. You (Mr. Adams) and I have been wonderfully spared, and myself with remarkable health, and a considerable activity of body and mind. I am on horseback three or four hours of every day; visit three or four times a year a possession I have ninety miles distant, performing the winter journey on horseback. I walk little, however; a single mile being too much for me; and I live in the midst of my grandchildren, one of whom has lately promoted me to be a great grandfather. I have heard with pleasure that you also retain good health, and a greater power of exercise in walking than I do. But I would rather have heard this from

yourself, and that, writing a letter like mine, full of egotisms, and of details of your health, your habits, occupations, and enjoyments, I should have the pleasure of knowing, that in the race of life you do not keep, in its physical decline, the same distance ahead of me, which you have done in political honours and achievements. No circumstances have lessened the interest I feel in these particulars respecting yourself; none have suspended for one moment my sincere esteem for you, and I now salute you with unchanged affection and respect."

The Duke of Saxe Weimar, who was in this country in 1825 and 1826, thus, at this late period, describes the appearance of the sage of Monticello, who had invited him to dine.

"Our long walk caused such a delay, that we found the company at table when we entered; but Mr. Jefferson came very kindly to meet us, forced us to our seats, and ordered dinner to be served up anew. He was an old man of eighty-two years of age, of tall stature, plain appearance, and long white hair.

"In conversation he was very lively, and his spirits, as also his hearing and sight, seemed not to have decreased at all with his advancing age. I found him a man who retained his faculties remarkably well in his old age, and one would have taken him for a man of sixty."

The following letter of Mr. Jefferson to his young relative, though long, is so full of good sense and sound advice, that we cannot avoid inserting it. It was written somewhat before the period to which we have now arrived.

"Your situation, thrown at such a distance from us and alone, cannot but give us all great anxieties for you. As much has been secured for you by your particular position and acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise, so young, too, and with so little experience of mankind, your dangers are great, and still your safety must rest on yourself. A determination never to do what is wrong, prudence, and good humour, will go far towards securing to you the estimation of the world. When I recollect, that at fourteen years of age, the whole care and direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties, I would ask myself what would Dr. Small, Mr. Wythe, Peyton Randolph do in this situation? What course in it will ensure me their approbation? I am certain that this mode of deciding on my conduct tended more to its correctness than any reasoning powers I possessed. Knowing the even and dignified line they pursued, I could never doubt for a moment which of two courses would be in character for them. Whereas, seeking the same object through

a process of moral reasoning, and with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse-racers, card-players, fox-hunters, scientifick and professional men, and of dignified men; and many a time have I asked myself, in the enthusiastick moment of the death of a fox, the victory of a favourite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, well, which of these kinds of reputation should I prefer? That of a horse-jockey? a fox-hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear Jefferson, that these little returns into ourselves, this self-catechizing habit, is not trifling, nor useless, but leads to the prudent selection and steady pursuit of what is right.

"I have mentioned good humour as one of the preservatives of our peace and tranquillity. It is among the most effectual, and its effect is so well imitated and aided, artificially, by politeness, that this also becomes an acquisition of first-rate value. In truth, politeness is artificial good humour; it covers the natural want of it, and ends by rendering habitual a substitute nearly equivalent to the real virtue. It is the practice of sacrificing to those whom we meet in society, all the little conveniences and preferences which will gratify them, and deprive us of nothing worth a moment's consideration; it is the giving a pleasing and flattering turn to our expressions, which will conciliate others, and make them pleased with us as well as themselves. How cheap a price for the good will of another! When this is in return for a rude thing said

by another, it brings him to his senses, it mortifies and corrects him in the most salutary way, and places him at the feet of your good nature, in the eyes of the company. But in stating prudential rules for our government in society, I must not omit the important one of never entering into dispute or argument with another. I never yet saw an instance of one of two disputants convincing the other by argument. I have seen many, of their getting warm, becoming rude, and shooting one another. Conviction is the effect of our own dispassionate reasoning, either in solitude, or weighing within ourselves, dispassionately, what we hear from others, standing uncommitted in argument ourselves. It was one of the rules, which, above all others, made Doctor Franklin the most amiable of men in society, 'never to contradict any body.' If he was urged to announce an opinion, he did it rather by asking questions, as if for information, or by suggesting doubts. When I hear another express an opinion which is not mine, I say to myself, he has a right to his opinion, as I to mine; why should I question it? His error does me no injury; and shall I become a Don Quixote, to bring all men by force of argument to one opinion? If a fact be misstated, it is probable he is gratified by a belief of it, and I have no right to deprive him of the gratification. If he wants information, he will ask it, and then I will give it in measured terms; but if he still believes his own story, and shows a desire to dispute the fact with me, I hear him, and say nothing.—It is his affair, not mine, if he prefers error. There are two classes of disputants most frequently to be met with among us. The first is of young students, just

entered the threshold of science, with a first view of its outlines, not yet filled up with the details and modifications which a further progress would bring to their knowledge. The other consists of the ill-tempered and rude men in society, who have taken up a passion for politicks. (Good humour and politeness never introduce into mixed society a question on which they foresee there will be a difference of opinion.) From both of those classes of disputants, my dear Jefferson, keep aloof, as you would from the infected subjects of yellow fever or pestilence. Consider yourself, when with them, as among the patients of Bedlam, needing medical more than moral counsel. Be a listener only, keep within yourself, and endeavour to establish with yourself the habit of silence, especially on politicks. In the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in fact or principle. They are determined as to the facts they will believe, and the opinions on which they will act. Get by them, therefore, as you would by an angry bull: it is not for a man of sense to dispute the road with such an animal. You will be more exposed than others to have these animals shaking their horns at you, because of the relation in which you stand with me. Full of political venom, and willing to see me and to hate me as a chief in the antagonist party, your presence will be to them what the vomit-grass is to a sick dog, a nostrum for producing ejaculation. Look upon them exactly with that eye, and pity them as objects to whom you can administer only occasional ease. My character is not within their power. It is in the hands of my fellow

citizens at large, and will be consigned to honour or infamy by the verdict of the republican mass of our country, according to what themselves will have seen, not what their enemies and mine shall have said."

The following touching letter to a friend, was occasioned by the loss of one of his two children.

"My loss is great indeed. Others may lose of their abundance, but I, of my want, have lost even the half of all that I had. My evening prospects now hang on the slender thread of a single life. Perhaps I may be destined to see even this last cord of parental affection broken. The hope with which I had looked forward to the moment, when, resigning publick cares to younger hands, I was to retire to that domestick comfort from which the last great step is to be taken, is fearfully blighted. When you and I look back at the country over which we have passed, what a field of slaughter does it exhibit! Where are all the friends who entered it with us, under all the inspiring energies of health and hope? As if pursued by the havoc of war, they are strewed by the way, some earlier, some later, and scarce a few stragglers remain to count the numbers fallen, and to mark yet by their own fall, the last footsteps of their party. Is it a desirable thing to bear up through the heat of the action, to witness the death of all our companions, and merely be the last victim? I doubt it. We have, however, the traveller's consolation: every step shortens the distance we have to go; the end of our journey is in sight, the bed wherein we are to rest, and to rise in the midst of the friends we have lost. 'We sorrow not, then, as others who have no hope,' but look forward to

the day which 'joins us to the great majority.' But whatever is to be our destiny, wisdom, as well as duty, dictates that we should acquiesce in the will of Him whose it is to give and take away, and be contented in the enjoyment of those who are still permitted to be with us. Of those connected by blood, the number does not depend on us. But friends we have, if we have merited them. Those of our earliest years stand nearest in our affections. But in this, too, you and I have been unlucky. Of our college friends (and they are the dearest) how few have stood with us in the great political questions which have agitated our country: and these were of a nature to justify agitation. I did not believe the Lilliputian fetters of that day strong enough to have bound so many."

One of the last of Mr. Jefferson's letters, was written near the close of his life. It is addressed to a young person for whom he appears to have had an affectionate regard, and is summed up in these solemn and impressive terms:

"This letter will, as to you, be as one from the dead. The writer will be in the grave before you can weigh its counsels. Your affectionate and excellent father, has requested that I would address to you something which might possibly have a favourable influence on the course of life you have to run, and I, too, as a namesake, feel an interest in that course. Few words will be necessary with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbour as yourself, and, your country more than yourself. Be just. Be true. Murmur not at the ways of Providence. So shall the

life into which you have entered, be the portal to one of eternal and ineffable bliss. And if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell."

Shortly after Mr. Jefferson's return to Monticello, it having been proposed to form a college in his neighbourhood, he addressed a letter to the trustees, in which he sketched a plan for the establishment of a general system of education in Virginia. This appears to have led the way to an act of the legislature in the year 1818, by which commissioners were appointed with authority to select a site and form a plan for a university on a large scale. Of these commissioners, Mr. Jefferson was unanimously chosen the chairman, and on the fourth day of August, 1818, he framed a report, embracing the principles on which it was proposed the institution should be formed. The situation selected for it was at Charlottesville, a town at the foot of the mountain on which Mr. Jefferson resided. The plan was such as to combine elegance and utility, with the power of enlarging it to any extent which its future prosperity may require; the instruction extended to the various branches of learning which a citizen will require in his intercourse between man and man, in the improvement of his morals and faculties, and in the knowledge and exercise of his social rights. Such an education, Mr. Jefferson observes, "generates habits of application and the love of virtue; and controls, by the force of habit, any innate obliquities in our moral organization. We should be far, too, from discouraging the persuasion, that man is fixed, by the law of his nature, at a given point; that his improvement

is a chimera, and the hope delusive of rendering ourselves wiser, happier, or better than our forefathers were. We need look back only half a century, to times which many now living remember well, and see the wonderful advances in the sciences and arts which have been made within that period. Some of these have rendered the elements themselves subservient to the purposes of man, have harnessed them to the yoke of his labours, and effected the great blessings of moderating his own, of accomplishing what was beyond his feeble force, and of extending the comforts of life to a much enlarged circle, to those who had before known its necessities only. That these are not the vain dreams of sanguine hope, we have before our eyes real and living examples. What but education has advanced us beyond the condition of our indigenous neighbours? and what chains them to their present state of barbarism and wretchedness, but a bigoted veneration for the supposed superlative wisdom of their fathers, and the preposterous idea that they are to look backward for better things, and not forward, longing; as it should seem, to return to the days of eating acorns and roots, rather than indulge in the degeneracies of civilization? And how much more encouraging to the achievements of science and improvement is this, than the desponding view that the condition of man cannot be meliorated, that what has been must ever be, and that to secure ourselves where we are, we must tread, with awful reverence, in the footsteps of our fathers. This doctrine is the genuine fruit of the alliance between church and state, the tenants of which, finding themselves but too well in their present

position, oppose all advances which might unmask their usurpations, and monopolies of honours, wealth, and power, and fear every change, as endangering the comforts they now hold."

The report then proceeds to state the various arrangements which should be adopted, for the conduct of so extensive an institution; and concludes with a statement of its financial situation. The plan thus proposed was adopted by the legislature. "Mr. Jefferson was elected the rector of the new institution, and from that period he devoted himself with unceasing ardour to carry it into effect. Nothing, indeed, could exceed his fond desire for its success. It appeared to be the object of all his hopes and thoughts in the declining years of his life. He rode every morning, when the weather would permit, to inspect its progress. He prepared with his own hands the drawings and plans for the workmen. He stood over them as they proceeded with a sort of parental care and anxiety, and when the inclemency of the season, or the infirmity of age, prevented his visits, a telescope was placed on a terrace near his house, by means of which he could inspect the progress of the work. After its completion, he might often be seen pacing slowly along the porticoes or cloisters which extend in front of the dormitories of the students, occasionally conversing with them, and viewing the establishment with a natural and honourable pride. In the library is carefully preserved the catalogue written by himself, in which he has collected the names, best editions, and value of all works of whatever language in literature and science, which he thought necessary to form a complete library;

and in examining it, one is really less struck with the research and various knowledge required for its compilation, than the additional proof of that anxious care which seemed to search out all the means of fostering and improving the institution he had formed."

But from these pleasant occupations he was roused to the scenes of worldly suffering which now surrounded him. With thoughtless generosity, he had devoted the zeal of his youth and the experience of his maturer years to the service of his fellow citizens, and now, in his old age, he found himself doomed to that poverty which he had no longer the ability to repel. It was, however, an honourable poverty, incurred in the performance of publick duties, or private generosity, unsullied by extravagance and unattended by crime. And it is difficult to imagine how, in his case, it could have been avoided. For more than fifty years he had been actively engaged in publick office, generally at a distance from his own estate; and though his patrimony was originally large, it could not but be impaired by this unavoidable neglect. In retiring from the exalted station he had enjoyed, he did not enter on a less conspicuous scene; he had become identified with the greatness and glory of his country, he was the object of attraction to crowds of anxious and admiring guests, and, unless by coldly closing his doors, it was impossible to limit the expenses he was thus obliged to incur.

In this emergency, he applied to the legislature of Virginia, who, in the spring of 1826, partially relieved him from his embarrassment, by authorizing him to dispose of his estates by lottery, in order that a fair

price for them might be obtained. When soliciting this permission, and after enumerating his many and important services, he concludes: "And what remuneration do I ask? Money from the treasury? Not a cent. I ask nothing from the earnings or labours of my fellow citizens. I wish no man's comforts to be abridged for the enlargement of mine. For the services rendered on all occasions, I have been always paid to my full satisfaction. I never wished a dollar more than what the law had fixed on. My request is, only to be permitted to sell my own property freely to pay my own debts. To *sell* it, I say, and not to *sacrifice* it; not to have it gobbled up by speculators to make fortunes for themselves, leaving unpaid those who have trusted to my good faith, and myself without resource in the last and most helpless stage of life. If permitted to sell it in a way which will bring me a fair price, all will be honourably and honestly paid, and a competence left for myself, and for those who look to me for subsistence. To sell it in a way which will offend no moral principle, and expose none to risk but the willing, and those wishing to take the chance of gain. To give me, in short, that permission which you often allow to others for purposes not more moral." It was on this occasion that he produced his "Thoughts on Lotteries;" in which the arguments are at least specious, if not sound; and in which he endeavours to show, with what success we will enable the reader to judge, that the objections urged against lotteries equally militate against other speculations which have never been thought opposed to morality or propriety. A

short extract may not be uninteresting, and will prove the still unsubdued vigour of his pen :

" It is a common idea, that games of chance are immoral. But what is chance ? Nothing happens in this world without a cause. If we know the cause, we do not call it chance ; but if we do not know it, we say it was produced by chance. If we see a loaded die turn its lightest side up, we know the cause, and that it is not an effect of chance ; but whatever side an unloaded die turns up, not knowing the cause, we say it is the effect of chance. Yet the morality of a thing cannot depend on our knowledge or ignorance of its cause. Not knowing why a particular side of an unloaded die turns up, cannot make the act of throwing it, or of betting on it, immoral. If we consider games of chance immoral, then every pursuit of human industry is immoral, for there is not a single one that is not subject to chance ; not one wherein you do not risk a loss for the chance of some gain. The navigator, for example, risks his ship in the hope (if she is not lost in the voyage) of gaining an advantageous freight. The merchant risks his cargo to gain a better price for it. A landholder builds a house on the risk of indemnifying himself by a rent. The hunter hazards his time and trouble in the hope of killing game. In all these pursuits, you stake some one thing against another which you hope to win. But the greatest of all gamblers is the farmer. He risks the seed he puts into the ground, the rent he pays for the ground itself, the year's labour on it, and the wear and tear of his cattle and gear, to win a crop, which the chances of too much or too little rain, and general uncertainties of weather, insects, waste, &c. often make a total or partial loss. These, then, are games of chance. Yet so far from being immoral, they are indispensable to the existence of man, and every one has a natural right to choose for his pursuit such one of them as he thinks most likely to furnish him subsistence. Almost all these pursuits of chance produce something useful to society. But there are some which produce nothing, and endanger the well-being of the individuals engaged in them, or of others depending on them. Such are games with cards, dice, billiards, &c. And although the pursuit of them is a matter of natural right, yet society, perceiving the irresistible bent of some of its members to pursue them, and the ruin produced by them to the families depending on these individuals, consider it as a case of insanity, *quoad hoc*, step in to protect the family and the party himself, as in other cases of insanity, infancy, imbecility, &c., and suppress the pursuit altogether, and the natural right of following it. There are some other games of chance, useful on certain occasions, and injurious only when carried beyond their useful bounds. Such are ensurances, lotteries, raffles, &c. These they do not suppress, but take their regulation under their own discretion.

The ensurance of ships on voyages is a vocation of chance, yet useful, and the right to exercise it, therefore, is left free. So of houses against fire, doubtful debts, the continuance of a particular life, and similar cases. Money is wanting for a useful undertaking, as a school, &c., for which a direct tax would be disapproved. It is raised, therefore, by a lottery, wherein the tax is laid on the willing only, that is to say, on those who can risk the price of a ticket without sensible injury, for the possibility of a higher prize. An article of property, insusceptible of division at all, or not without great diminution of its worth, is sometimes of so large value as that no purchaser can be found while the owner owes debts, has no other means of payment; and his creditors no other chance of obtaining it but by its sale at a full and fair price. The lottery is here a salutary instrument for disposing of it, where many run small risks for the chance of obtaining a high prize. In this way, the great estate of the late Colonel Byrd (in 1756) was made competent to pay his debts, which, had the whole been brought into the market at once, would have overdone the demand, would have sold at half or quarter the value, and sacrificed the creditors, half or three fourths of whom would have lost their debts. This method of selling was formerly very much resorted to, until it was thought to nourish too much a spirit of hazard. The legislature were therefore induced, not to suppress it altogether, but to take it under their own special regulation. This they did, for the first time, by their act of 1769, c. 17., before which time, every person exercised the right freely; and since which time, it is made unlawful but when approved and authorized by a special act of the legislature.

"We have seen, then, that every vocation in life is subject to the influence of chance; that, so far from being rendered immoral by the admixture of that ingredient, were they abandoned on that account, man could no longer subsist: thus, among them, every one has a natural right to choose that which he thinks most likely to give him comfortable subsistence; but that while the greater number of these pursuits are productive of something which adds to the necessaries and comforts of life, others again, such as cards, dice, &c. are entirely unproductive, doing good to none, injury to many, yet so easy, and so seducing in practice to men of a certain constitution of mind, that they cannot resist the temptation, be the consequences what they may; that in this case, as in those of insanity, idiocy, infancy, &c. it is the duty of society to take them under its protection, even against their own acts, and to restrain their right of choice of these pursuits, by suppressing them entirely; that there are others, as lotteries particularly, which although liable to chance also, are useful for many purposes, and are therefore retained and placed under the discretion of the legislature, to be permitted or refused according to the circumstan-

ces of every special case, of which they are to judge; that between the years 1782 and 1820, a space of thirty-eight years only, we have observed seventy cases, where the permission of them has been found useful by the legislature, some of which are in progress at this time. These cases relate to the emolument of the whole state, to local benefits of education, of navigation, of roads, of counties, towns, religious assemblies, private societies, and of individuals under particular circumstances which may claim indulgence or favour. The latter is the case now submitted to the legislature, and the question is, whether the individual soliciting their attention, or his situation, may merit that degree of consideration which will justify the legislature in permitting him to avail himself of the mode of selling by lottery, for the purpose of paying his debts."

But few more incidents belong to the eventful life of Mr. Jefferson. The full vigour of his mind, indeed, remained unimpaired until a very short period before he fell into the grave. The few remaining circumstances attending the close of his life, we give in the words of the "American Biography," a work to which we have already acknowledged our obligations. No language more appropriate could be employed, and no one seems better qualified than this author to portray the final scene of departing greatness.

"The year 1826 being the fiftieth since the establishment of our independence, it was determined universally throughout the United States, to celebrate it as a jubilee, with unusual rejoicing; preparations to this end were made in every part of the country; and all means were taken to impart to the celebration the dignity which was worthy of the country and the event. The citizens of Washington, the metropolis of the nation, among other things invited Mr. Jefferson, as one of the surviving signers of the Declaration of Independence, to unite with them in their festivities; this request he was obliged to decline; but the letter in

which he signified his regret, is left to us as a monument of his expiring greatness. On the twenty-fourth of June, when the hand of death was already upon him, he expressed in this letter all those characteristic sentiments which through life had so strongly marked him—the delight with which he looked back to the period; when his country had made its glorious election between submission and the sword—the joy he felt in its consequent prosperity—the hope he indulged, that the time would yet come when civil and religious freedom should bless all the world—his ardent wish, that the return of that day should keep fresh in us the recollection of our rights, and increase our devotion to them, and the affectionate remembrance with which he dwelt on the kindness he had experienced from his fellow citizens. He thus addresses the mayor of Washington :

‘ Respected sir—The kind invitation I received from you, on the part of the citizens of the city of Washington, to be present with them at their celebration of the fiftieth anniversary of American independence, as one of the surviving signers of an instrument, pregnant with our own, and the fate of the world, is most flattering to myself, and heightened by the honourable accompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoicings of that day; but acquiescence under circumstances is a duty not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged there, congratulations, personally, with the small band, the remnant of the

host of worthies who joined with us, on that day, in the bold and doubtful election we were to make for our country, between submission and the sword; and to have enjoyed with them the consolatory fact, that our fellow citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains, under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. The form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the lights of science, has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favoured few, booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others; for ourselves, let the annual return of this day for ever refresh our recollections of these rights, and an undiminished devotion to them. I will ask permission here, to express the pleasure with which I should have met my ancient neighbours of the city of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse—an intercourse which so much relieved the anxieties of the publick cares, and left impressions so deeply engraved in my affections, as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance,

be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.'

"Soon after this letter was written, the indisposition of Mr. Jefferson assumed a more serious character. He had been for some time ill, though it was not until the twenty-sixth of June that he was obliged to confine himself to his bed. The strength of his constitution, and freedom from bodily pain, for a short time encouraged the hope that his illness was merely temporary. He himself, however, felt the conviction that his last hour was approaching. He had already lived beyond the limits ordinarily assigned to human existence, and for some months past, the whole tone of his conversation showed that he was looking forward to its termination, with a calmness and equanimity worthy of his past life. 'I do not wish to die,' he was in the habit of saying to the intimate friends around him, 'but I do not fear to die. Acquiescence under circumstances is a duty we are permitted to control.' He declared, that could he but leave his family unembarrassed, and see the child of his old age, the university, fairly flourishing, he was ready to depart—*nunc dimittis Domine*, the beautiful ejaculation of the Hebrew prophet, was his favourite quotation.—May God and his country grant the fulfilment of his dying wishes. On the second of July, the complaint with which he was afflicted left him; but his physician expressed his fears that his strength might not prove sufficient to restore him from the debility to which it had reduced him; conscious himself that he could not recover, and free from all bodily and apparently from all

mental pain, he calmly gave directions relative to his coffin and his interment, which he requested might be at Monticello, without parade or pomp; he then called his family around him, and conversed separately with each of them; to his beloved daughter, Mrs. Randolph, he presented a small morocco case, which he requested her not to open until after his death; when the sad limitation had expired, it was found to contain an elegant and affectionate strain of poetry, on the virtues of her from whom he was thus torn away. On Monday, the following day, he inquired of those around him with much solicitude, what was the day of the month; they told him it was the third of July; he then eagerly expressed his desire that he might be permitted to live yet a little while, to breathe the air of the fiftieth anniversary. The wish was granted—the Almighty hand sustained him up to the very moment when his wish was complete; and then bore him to that world, where the pure in heart meet their God." Mr. Jefferson expired at Monticello, at ten minutes before one o'clock on the fourth of July, 1826; within the same hour at which, fifty years before, the declaration of independence had been promulgated. At this time he had reached the age of eighty-three years, two months, and twenty-one days.

Thus ripe in years, and rich in fame and good actions, departed this venerable father of the republick. His services commenced with the freedom and happiness of his country, and terminated only at her unbounded prosperity and greatness. But his influence rests not here, and the name and opinions of Jefferson are yet to be the guides through many generations. His

laurels were hardly earned and will wear well, and as long as "truth is left free to combat error," must remain untarnished and unsullied.

The reader may form and justly appreciate the publick character of Mr. Jefferson, from the memoirs which he has perused. In that character will, we think, be distinguished, independence of mind, firmness and frankness of conduct, undaunted resolution, and indefatigable perseverance. And all these, aided by an intellect no less powerful than acute, no less comprehensive in its grasp than minute in its discernment. But perhaps the most distinguishing trait in his publick character, was firm and undeviating consistency. He was swayed by the purity of democracy throughout. He has stood before two generations; and the same political doctrines which he first espoused, he advocated with persevering consistency unto the end. Forming his judgements after the best reflections that he could bestow, and after the fullest information he could collect, he ever after adhered to them. This may sometimes have been the cause of error, but it was also the foundation of that political and moral firmness which may be traced from the very first moment of his entering upon life, until its close.

It has been well observed, that Mr. Jefferson's mind partook of the character which he wished to communicate to society. His speculations all manifest a feeling of independence, which allowed no authority to restrain him in the indulgence of his thoughts. It is remarkable that he never quotes the opinion of any other as the foundation or motive of his own. In whatever respect he held the reputation of the great

or learned, he did not pay them the deference of receiving their belief or their doctrines without investigation; for there are few fancies so extravagant in morals or philosophy, as not to have received, at some period or other, the countenance of great names, and to have been allowed by their sanction to pass current in society.

As we have already seen, the principal attempt in which his philanthropick efforts were unsuccessful, was the gradual emancipation of slaves, and the immediate inhibition of the traffick; and it will also be perceived that, in his draft of the Declaration of Independence, one of the grievances, charged upon the abjured sovereign, was the constant negative which he put upon all laws passed in the colonies for the abolition of the slave trade. His advocacy of the cause of slaves is a proof, if any were wanting, that his motive for reform was not the desire of popularity, and that he was not disposed to flatter publick opinion in order to obtain its support. On the contrary, he dared to attack it in a point where it was the most sensitive and intractable. In espousing the cause of the slaves, he excited for the most part the jealousy of their masters. He could have no motive but the honour of his country and the impulse of humanity.

"Mr. Jefferson resembled Dr. Franklin in the character of his mind, and in his fortunes. Neither of them had a predilection for political concerns. The studies most congenial to their minds were the speculations of philosophy, the discoveries of science, and the pursuits of natural history. They each had a fondness for the mechanick arts. Engaged in similar

objects, they enjoyed abroad the same scientific correspondence, and arrived at the same classical honours; and the traveller sees with pride their names associated and inscribed on the contributions which America has made to the learned cabinets of Europe.

"Dr. Franklin, also, is more known as a writer than an orator. Some of his speeches are reported. Though they are distinguished by the peculiar and extraordinary features of his mind, and were always delivered with effect, yet it is remarked, that he never spoke longer than ten minutes. Mr. Jefferson too, wanting strength of voice, relied altogether upon his power of writing; and as nature is observed to compensate the loss of one sense by giving more force to another, so Mr. Jefferson's disuse of public speaking seems to have thrown additional energies in his written composition."

Mr. Jefferson was the acknowledged head of the republican party, from the period of its organization down to that of his retirement from public life. The unbounded praise and blame which he received as a politician, must be left for the judgement of the historian and posterity.

In person, Mr. Jefferson was tall, erect, and well formed, though thin; his countenance was bland and expressive; his conversation fluent, imaginative, various, and eloquent. Few men equalled him in the faculty of pleasing in personal intercourse and acquiring ascendancy in political connexion. His complexion was fair, and his features remarkably expressive; his forehead broad, the nose not larger than the common size, and the whole face square, and expressive of deep

thinking. In his conversation he was cheerful and enthusiastic; and his language was singularly correct and vivacious. His manners were simple and unaffected, mingled, however, with much native but unobtrusive dignity.

In disposition, Mr. Jefferson was full of liberality and benevolence. His charity was unostentatious, but bountiful; a certain portion of his revenue was regularly applied to maintain and extend it; and it has been remarked, that those who, since his death, have travelled in that part of Virginia where he resided, could not fail to be struck with the repeated, the grateful, and the unpremeditated tributes which are every where paid to his memory—the constant appeal to his opinions, the careful remembrance and relation of every anecdote affecting his person and his actions. In his family he was hospitable to a degree which caused poverty to throw some dark shadows over the evening of his life; he was kind to his domesticks, by whom it was remarked, that no instance had ever occurred in which he had lost his temper; he was warmly attached and devoted to his children and relatives, whom he loved to assemble around him; and we have seen how bitterly he felt the blow which deprived him of one of his two children—a calamity which seems to have shaken his affectionate nature to its centre. The simplicity of the domestick habits of Mr. Jefferson, have been already discovered in our extracts from his correspondence.

The correspondence of Mr. Jefferson was varied and extensive, to a degree that became extremely irksome in his latter years. On this subject, in the year

1822, he thus expressed himself to Mr. Adams: "I do not know how far you may suffer, as I do, under the persecution of letters, of which every mail brings a fresh load. They are letters of inquiry, for the most part, always of good will, sometimes from friends whom I esteem, but much oftener from persons whose names are unknown to me, but written kindly and civilly, and to which, therefore, civility requires answers. I happened to turn to my letter list some time ago, and a curiosity was excited to count those received in a single year. I found the number to be one thousand two hundred and sixty-seven, many of them requiring answers of elaborate research, and all to be answered with due attention and consideration."

A few words respecting the religious opinions of Mr. Jefferson, and we close the volume. He has been represented as it suited party rancour: at one time, as the atheistical desperado, warring against the God of heaven; at another, as the ribald scoffer, throwing malignant sneers upon the declarations of His word. But he was far, very far, from being either of these. However opposed Mr. Jefferson may have been to what he considered the corruptions or abuses of Christianity, yet to the spirit and precepts of the gospel he was strongly attached; and of the character of our Saviour he was a warm and professed admirer. His correspondence is full of declarations to this effect, and they are given as the frank and undisguised sentiments of his heart. In a letter to his friend, Dr. Rush, he thus gives him his views of the Christian religion: "They are," says he, "the result of a life of inquiry and reflection, and very different from that anti-Christian-

system imputed to me by those who know nothing of my opinions. To the corruptions of Christianity, I am, indeed, opposed; but not to the genuine precepts of Jesus himself. I am a Christian in the only sense in which he wished any one to be; sincerely attached to his doctrines in preference of all others; ascribing to himself every *human* excellence; and believing he never claimed any other." Accompanying this letter was a syllabus of an estimate of the merit of the doctrines of Jesus, in which, among other reasons, he assigns the following for the intrinsick superiority of the divine lawgiver:

"1. He corrected the Deism of the Jews, confirming them in the belief of one only God, and giving them juster notions of his attributes and government.

"2. His moral doctrines, relating to kindred and friends, were more pure and perfect than those of the most correct of the philosophers, and greatly more so than those of the Jews; and they went far beyond both in inculcating universal philanthropy, not only to kindred and friends, to neighbours and countrymen, but to all mankind, gathering all into one family, under the bonds of love, charity, peace, common wants, and common aids. A developement of this head will evince the peculiar superiority of the system of Jesus over all others.

"3. The precepts of philosophy, and of the Hebrew code, laid hold of actions only. He pushed his scrutinies into the heart of man; erected his tribunal in the region of his thoughts, and purified the waters at the fountain head.

"4. He taught, emphatically, the doctrine of a future

state, which was either doubted or disbelieved by the Jews; and wielding it with efficacy, as an important incentive, supplementary to the other motives to moral conduct."

In a letter to John Adams are these words: "If by *religion* we are to understand *sectarian dogmas*, in which no two of them agree, then your exclamation on that hypothesis is just, 'that this would be the best of all possible worlds, if there were no religion in it.'—But if the moral precepts innate in man, and made a part of his physical constitution, as necessary for a social being—if the sublime doctrines of philanthropism and Deism taught us by Jesus of Nazareth, in which all agree, constitute true religion, then, without it, this would be, as you again say, 'something not fit to be named, even indeed, a hell.'"

In another letter to Dr. Waterhouse, he thus expresses himself: "The doctrines of Jesus are simple, and tend all to the happiness of man.

"1. That there is one only God, and he all perfect.

"2. That there is a future state of rewards and punishments.

"3. That to love God with all thy heart, and thy neighbour as thyself, is the sum of religion."

Certainly all this is not the language of an enemy to Christianity. It would be a forced service to enrol under the banners of atheism him who has expressed such an unhesitating reliance on the controlling energies of a superintending Providence; and one would suppose the man who declares that 'this earth would be a hell without the religion of Jesus,' would

be more apt to share with the Bible in the hatred of the scoffer, than be considered his coadjutor in profanity.

But though Mr. Jefferson's opinion on certain religious points should be hostile to our own, how is he more culpable than the thousands who have embraced different forms of belief? In what respect do his religious tenets differ from those of his venerable predecessor, or from those of his equally celebrated son? In dissenting from the opinion of others, whose piety and wisdom are entitled to veneration, he has not undertaken to advance his own with pride or bitterness. He has not condescended to disguise his sentiments for fear of provoking opposition, nor has he been ambitious to obtrude them on the publick in the conceit of making converts.

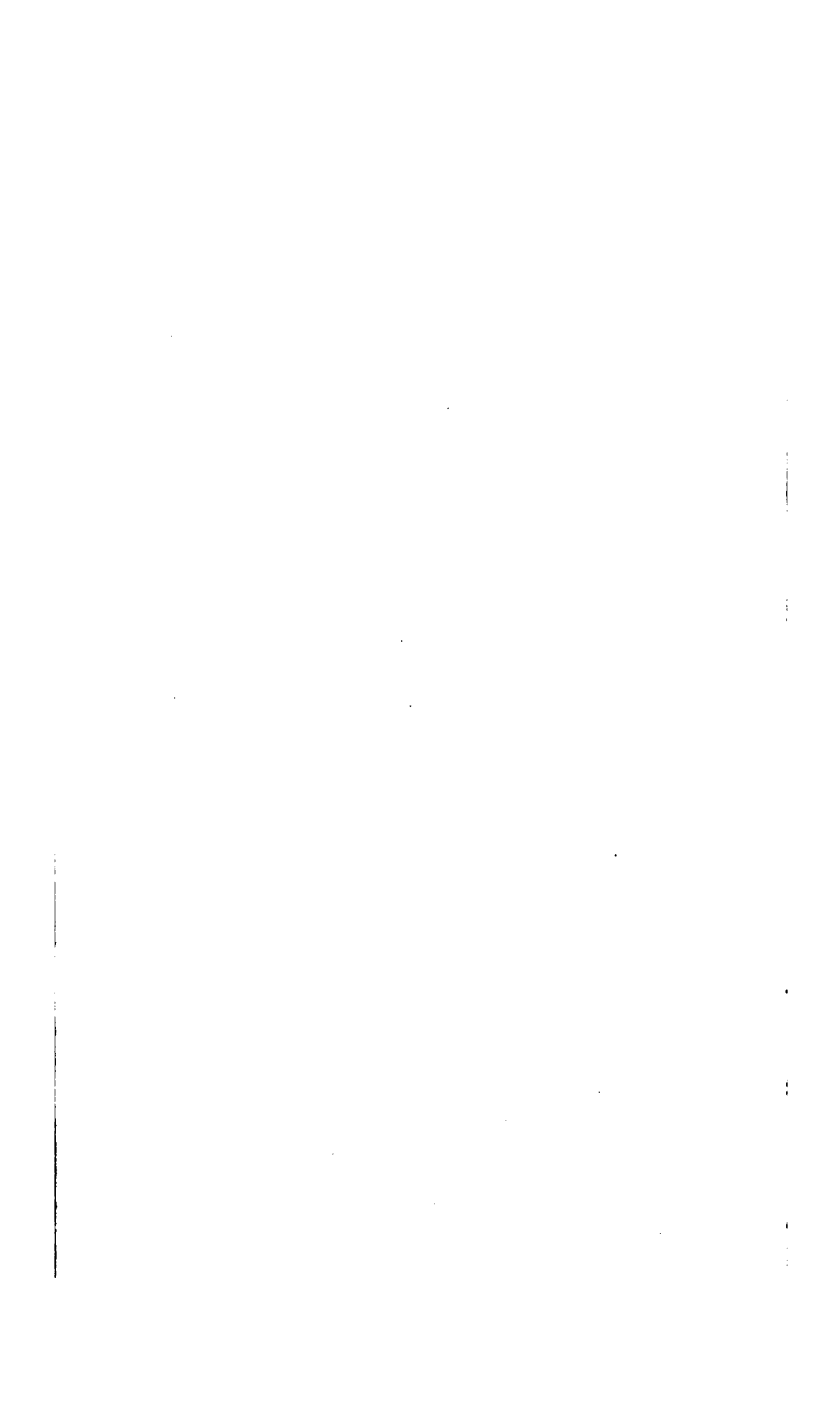
His death tested the sincerity of his faith, and he died with that calmness, serenity, and full reliance on the mercy of his Maker, which both philosophy and religion desire.

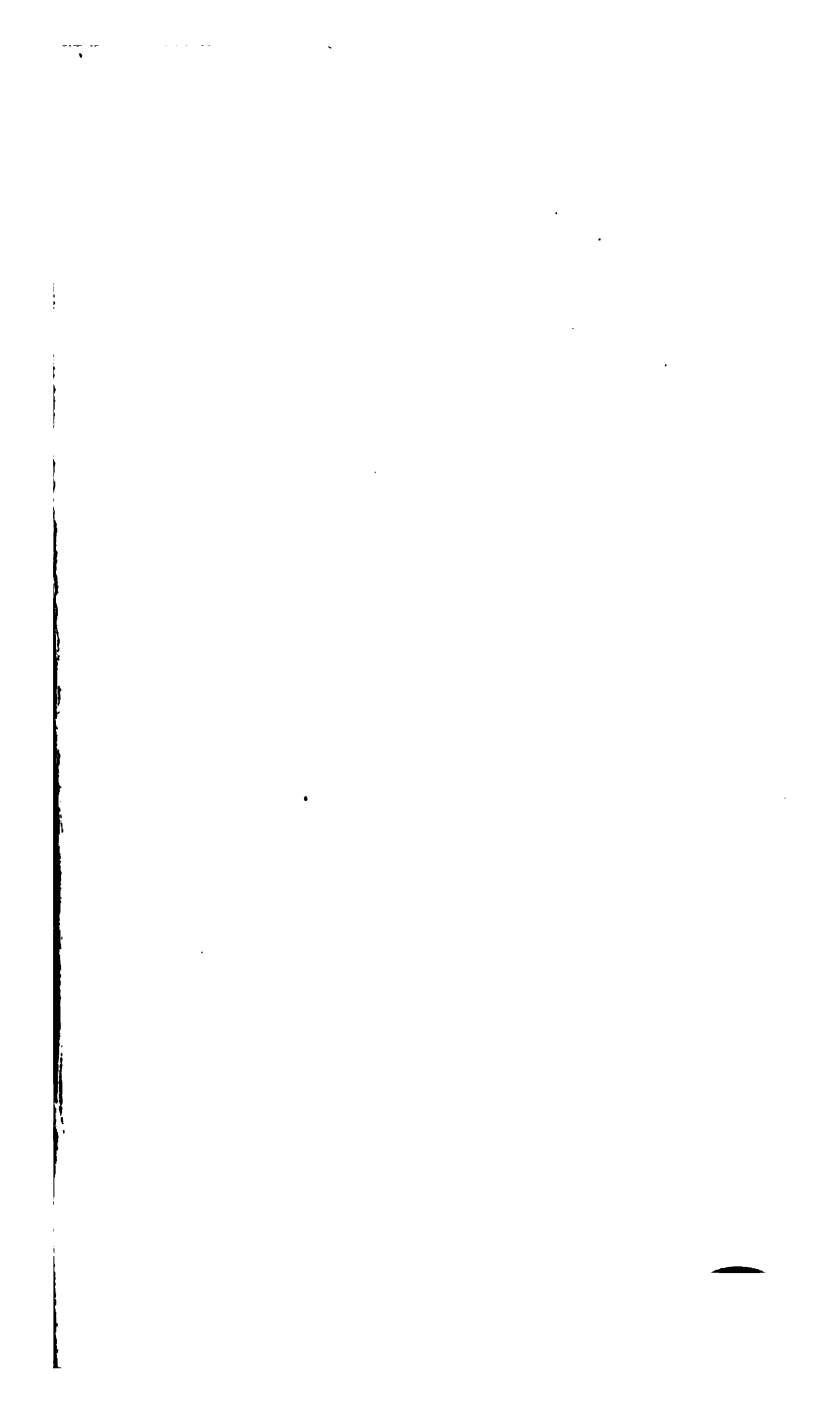
THE END.

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